

**NOTICE AND AGENDA
TOWN COUNCIL
Town Council - Regular Meeting**

Public notice is given that the Town Council of the Town of Apple Valley, Washington County, Utah will hold a **Town Council –Hearing and Regular Meeting on Wednesday, June 05, 2019** at the **Apple Valley Town Hall**, 1777 N. Meadowlark Dr., Apple Valley, Utah, commencing at **6:00 PM** or shortly thereafter. In accordance with state statute, one or more council members may be connected via speakerphone. This meeting will be available for live stream at www.youtube.com. Search: Town of Apple Valley Utah.

The Agenda for discussion and action is as follows:

CALL TO ORDER / PLEDGE OF ALLEGIANCE/ ROLL CALL

MAYOR’S TOWN UPDATE

Public Hearings are as follows:

1. CIB Grant-Application Process for Storm Water Drainage Study
2. Hearing for CIB Grant-Impact Fee Study

DISCUSSION AND ACTION

- [3.](#) CIB Grant Application for Storm Water Drainage
- [4.](#) CIB Grant Impact Fee Study
- [5.](#) Zone Change for AV-1365-K from OST to RE-5, Richard and Debbie Kopp
- [6.](#) Proposed Fee Schedule Modifications
- [7.](#) Adoption of Amendments to Land Use Code 10.28.240; Limitations on Height, Size and Location of Garages and Other Accessory Buildings in Residential Zones.
- [8.](#) Changes to the Town of Apple Valley Personnel Policies and Procedures Manual

APPROVAL OF MINUTES

- [9.](#) Meeting Minutes for 4.3.2019
Meeting Minutes for 4.17.2019

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Events Committee – Tish Lisonbee/Debbie Kopp

Planning Commission – Cynthia Browning/Michael McLaughlin

Fire Department – Chief Dave Zolg, Jr

Big Plains Water and Sewer SSD – Harold Merritt

Code Enforcement –Rich Ososki/Paul Edwardsen

Roads and Storm Drainage -

Mosquito Abatement- Margaret Ososki

Council-

Other

PUBLIC COMMENTS

ADJOURNMENT

Interested persons are encouraged to attend public hearings or present their views in writing at least one day prior to the meeting.

CERTIFICATE OF POSTING: I, Michelle Kinney, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov> and the Town Website www.applevalleyut.gov on the **4th day of June, 2019**.

Dated this 4th day of June, 2019

Michelle Kinney, Recorder
Town of Apple Valley

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL PUBLIC MEETINGS

In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should notify Michelle Kinney at 435-877-1190.

Item Attachment Documents:

3. CIB Grant Application for Storm Water Drainage

*Department of Workforce Services
Housing & Community Development Division*



PERMANENT COMMUNITY IMPACT FUND BOARD

**PROGRAM DESCRIPTION
&
APPLICATION FORM
(Revised March 2019)**

*Permanent Community Impact Fund Board
1385 South State ~ 4th Floor
Salt Lake City, Utah 84115
Office: 801-468-0043
Fax: 801-468-0211*

PERMANENT COMMUNITY IMPACT FUND BOARD APPLICATION FORM

(Revised March 2019)

PART A. GENERAL INFORMATION

Project Title: Stormwater, Public Safety, Parks & Trails, and Roads/Streets Master Planning

Project Location: Washington County, Apple Valley Population: 824

Applicant has attended a CIB Tutorial: ☒ X *Applicant has provided application to *SHPO:* Y ☐ N ☐ N/A X

1. Applicant Agency

Name: Town of Apple Valley

Mailing Address: 1777 N Meadowlark Dr

City: Apple Valley County: Washington . Utah Zip: 84737

Contact Person (Must be with the applicant agency and registered in WebGrants, see page 6)

Name: Marty Lisonbee

Phone: (435) 877-1190 Fax: (435) 877-1192

Email: mayor@applevalleyut.gov

Federal Tax Identification Number: 30-0294253

2. Presiding Official (this person must sign the application; page 6)

Name and Title: Marty Lisonbee

Email: mayor@applevalleyut.gov

3. Clerk/Recorder

Name and Title: Michelle Kinney - Clerk

Email: mkkinney@applevalleyut.gov

4. Engineer/Architect

Name: Marv Wilson

Mailing Address: mwilson@sunrise-eng.com

City: Washington Zip: 84780 Phone: (435) 652-8450 Fax: (435) 652-8416

Email: mwilson@sunrise-eng.com

5. Bond Counsel

Name: Not Applicable

Mailing Address: _____

City: _____ Zip: _____ Phone: _____ Fax: _____

Email: _____

6. Financial Consultant – (optional)

Name: _____

Mailing Address: _____

City: _____ Zip: _____ Phone: _____ Fax: _____

Email: _____

**State Historic Preservation Office (SHPO) <https://heritage.utah.gov/history/compliance-historic-structures>*

PART B. PROPOSED FUNDING – Project Title: Stormwater, Public Safety, Parks & Trails, and Roads/Streets Master Planning

1. Cost Sharing

<u>Funding Source</u>	<u>Cost Share</u>
a. <u>Applicant Cash</u>	<u>\$50,000</u>
b. <u>Applicant In-kind (specify)**</u>	<u> </u>
c. <u>Other Local Cash (specify)</u>	<u> </u>
d. <u>Other Local In-kind (specify)**</u>	<u> </u>
e. <u>Federal Grant (specify)</u>	<u> </u>
f. <u>Federal Loan (specify)</u>	<u> </u>
g. <u>State Grant (specify)</u>	<u> </u>
h. <u>State Loan (specify)</u>	<u> </u>
i. <u>Total CIB Funds (total of lines 2a & 2b below)</u>	<u> </u>
Total Project Cost	<u>\$100,000</u>

Note: The CIB may limit its total participation in any given project to a maximum of \$5,000,000 regardless of grant/loan mix.

2. Type of CIB Funds Requested - (Loans should be rounded to the nearest \$1000)

a. **Loan Amount:** \$ % Rate: Years: 1st Payment Due:

Security for Loan: (circle one)

1. General Obligation Bond
2. Revenue Bond (specify revenue source):
3. Building Authority Lease Revenue Bond (specify lessee):
4. Class B & C Road Fund Revenue Bond:
5. Other (specify):

b. **Grant Amount:** \$ 50,000

3. Cost Over-runs

All applicants must indicate how they propose to finance cost over-runs for the proposed project.

Reduce the scope of work, only complete portions of the plan until sufficient funds have been raised for the entire plan.

****In-kind funds cannot be included as part of the local contribution, unless the in-kind has a demonstrable value, such as real property. Donated labor or staff time cannot be counted as either cash or in-kind contribution.**

PART C. PROJECT BUDGET – Project Title: Stormwater, Public Safety, Parks & Trails, and Roads/Streets Master Planning

DATE COST ESTIMATES FOR PROJECT WERE PREPARED 5/31/19

INDIVIDUAL OR FIRM RESPONSIBLE FOR COST ESTIMATES Sunrise Engineering, Inc.

1. Construction – (This refers to the prepared estimate included with application)

(specify quantity & unit price below or refer to an attached estimate)

1. _____	\$ _____	
2. _____	\$ _____	
3. _____	\$ _____	
4. _____	\$ _____	
5. _____	\$ _____	
6. _____	\$ _____	
7. Construction Contingency _____	\$ _____	
Construction Sub-Total		\$ _____

2. Engineering Services

Pre-Construction Engineering:

(Preliminary studies, layouts, cost estimates, design drawings, specification & contract documents)

\$ _____

Special Engineering Services:

(soil investigations , geotechnical studies, land surveys, environmental evaluations, permitting, water rights and other special investigations)

\$ _____

Construction Engineering Services:

(Representation during construction, special inspections, materials testing and construction phase services)

\$ _____

Engineering Services Sub-total:

\$ _____

ALTERNATE ENGINEERING OPINION _____

3. Planning and Studies (NEPA, EA, EIS, Feasibility)

Planning and Studies Sub-total

\$ 100,000

4. Land/Easements/Water Rights

Land/Easements/Water Rights Sub-total

\$ _____

5. Equipment & Facilities

Equipment & Facilities Sub-total

\$ _____

6. Administration

Legal:

\$ _____

Financial Consultant:

\$ _____

Administration Sub-total

\$ _____

TOTAL PROJECT COST

\$ 100,000

PART D. APPLICANT AGENCY FINANCIAL INFORMATION**1. Current Year Total Budget:** \$ 775,699**2. Current Year General Fund Budget** \$ 775,699**3. Current and Prior Four Years Property Tax:** \$ 368,331

Year	Property Tax Rate	\$ Collected
<u>2018</u>	<u>.001796</u>	<u>\$104,519</u>
<u>2017</u>	<u>.001565</u>	<u>\$70,677</u>
<u>2016</u>	<u>.001667</u>	<u>\$67,975</u>
<u>2015</u>	<u>.001733</u>	<u>\$62,887</u>
<u>2014</u>	<u>.001923</u>	<u>\$62,273</u>

4. General Obligation (G.O.) Debt Structurea. Assessed Valuation: \$ 48,680,449b. G.O. Debt Capacity:* \$ 1,947,217c. Outstanding G.O. Debt: \$ 1,257,000d. Remaining G.O. Debt Capacity (b-c=d): \$ 690,217

*County G.O. debt limit is 2.0% of assessed value. City, town and school district G.O. debt limit is 4.0% of assessed value. Cities of the first and second class may incur an additional 4.0% in G.O. debt for water, artificial lights or sewers. Cities of the third class and towns may incur an additional 8.0% in G.O. debt for water, artificial lights or sewers.

5. Bonded Debt Summary

Bonded debt information must be submitted in the format shown on Page 5. The submission of bonded debt information in an alternative format will not be accepted, since it precludes easy reference to the actual debt structure of applicant agencies. Please attach additional pages in the same format if there are insufficient columns on Page 5 to list all bonded debt issues.

Bonded Debt Summary (attach additional sheets as necessary)**BOND ISSUE**

PURPOSE: Bridge and Roads
\$ Issued: 1,288,000
Interest Rate: 2.5%
Date Issued: 10/5/2015
Due Date: Annually 10/1
Bond Holder: State of Utah

BOND ISSUE

PURPOSE: _____
\$ Issued: _____
Interest Rate: _____
Date Issued: _____
Due Date: _____
Bond Holder: _____

BOND ISSUE

PURPOSE: _____
\$ Issued: _____
Interest Rate: _____
Date Issued: _____
Due Date: _____
Bond Holder: _____

Annual Debt Service (P+I)

Year	\$ Amount
current	<u>63,425</u>
+1	<u>62,625</u>
+2	<u>62,825</u>
+3	<u>63,000</u>
+4	<u>63,150</u>
+5	<u>63,275</u>
+6	<u>63,375</u>
+7	<u>63,450</u>
+8	<u>62,500</u>
+9	<u>62,550</u>
+10	<u>62,575</u>
+11	<u>62,550</u>
+12	<u>62,500</u>
+13	<u>63,425</u>
+14	<u>63,300</u>
+15	<u>63,150</u>
+16	<u>62,975</u>
+17	<u>62,775</u>
+18	<u>62,550</u>
+19	<u>63,300</u>
+20	<u>441,025 (7 additional payments)</u>

Annual Debt Service (P+I)

Year	\$ Amount
current	_____
+1	_____
+2	_____
+3	_____
+4	_____
+5	_____
+6	_____
+7	_____
+8	_____
+9	_____
+10	_____
+11	_____
+12	_____
+13	_____
+14	_____
+15	_____
+16	_____
+17	_____
+18	_____
+19	_____
+20	_____

Annual Debt Service (P+I)

Year	\$ Amount
current	_____
+1	_____
+2	_____
+3	_____
+4	_____
+5	_____
+6	_____
+7	_____
+8	_____
+9	_____
+10	_____
+11	_____
+12	_____
+13	_____
+14	_____
+15	_____
+16	_____
+17	_____
+18	_____
+19	_____
+20	_____

PART E. PRE-SUBMISSION ATTACHMENT CHECKLIST

Note: Please refer to CIB PROGRAM SUMMARY <https://jobs.utah.gov/housing/cib/index.html>.
Applicants must meet ALL of the requirements listed below. Incomplete applications will be held pending completion of the PART E. requirements.

1. Registration (*one time registration only.)

To be eligible for funding, the applicant **must** be registered in WebGrants (<http://webgrants.community.utah.gov>) For new registration, the applicant will receive an email with their login ID and password. *Note: Please register one time only. If applicant has submitted an application previously they may already have a login and password. Do NOT register again.

2. Project Description – (Note: Is the project on the entity's adopted general plan yes X no)

Attach as Attachment #1. This description should cover the following areas:

WHO – A description of the applicant agency including the problem, situation, condition or need to be addressed by the proposed project. The description should cover the number of persons, land area, governmental facilities, services or operations impacted by the problem.

WHAT – A description of the proposed project including size, location, development timetable, etc. Include explanation of projected benefits and alternatives considered. **Attach 8½ X 11 maps, floor plans, site plans and prepared estimate etc. as Attachment #2**

WHY – Has the applicant investigated other sources of funding for this project and an explanation of why the applicant agency requires financial assistance from CIB.

3. Consolidated Local Capital Improvement List – Permanent Community Impact Fund Board

Attach the current consolidated capital improvement list as **Attachment #3**. Projects not identified on the CIB Capital Improvement List of the Housing & Community Development Division, will NOT be funded by the CIB, unless they address a bona fide public safety or health emergency, or for other compelling reasons.

4. Public Hearing – (Per CIB Program Summary: Discuss size, scope and nature of any funding request to be submitted to the CIB.) Attach a copy of the public notice and a copy of public hearing minutes as **Attachment #4**.

5. Association of Governments Notification

Provide a copy of the application to the AOG & attach required AOG review & comments as **Attachment #5**.

6. Affordable Housing Plan – (do not submit the entire housing plan)

Attach a **brief summary** of the applicant's efforts to comply with the requirements of Section 10-9a-403 UCA (municipalities) and Section 17-27a-403 UCA (counties) as **Attachment #6**.

7. Water & Sewer Applications require a Department of Environmental Quality Review

Utah Department of Environmental Quality (DEQ) staff act as technical advisors to the CIB on drinking water and waste water projects. Applicants for proposed drinking water and waste water project funding **MUST COMPLETE AND SUBMIT** the Drinking Water & Waste Water Project Supplement to DEQ. (DEQ Supplemental form is located on CIB website: <http://jobs.utah.gov/housing/cib/cib.html>)

8. Planning Applications ~ Street & Road Applications –Addendum required. (Planning Addendum and Street & Road Addendum - located on CIB website: <http://jobs.utah.gov/housing/cib/cib.html>)

9. CONSTRUCTION & EXCAVATION APPLICATIONS & SHPO

(CHECK IF THIS REQUIREMENT HAS BEEN ACCOMMODATED N/A)

Applications which include building, altering or disturbing properties fifty (50) years of age or older, or which may include new site excavation to include road realignments shall be submitted to SHPO and include photograph, address and map of the proposed project.

PART F. PRESIDING OFFICIAL SIGNATURE

I, Marty Lisonbee, the Mayor
(typed name) (typed title)

Of the Town of Apple Valley

(typed name of applicant agency) do hereby certify the information presented in this application is accurate and correct to the best of my knowledge and this application has been authorized by the applicant agency

Signature

Date

ATTACHMENT #1

PROJECT DESCRIPTION

Attachment #1 – Project Description

The Town of Apple Valley has a population of approximately 824 people. Apple Valley is located between Hurricane and Hildale off State Road 59 in Washington County, Utah. The town is requesting financial assistance from the Permanent Community Impact Fund Board (CIB) in order to complete four studies: Stormwater Master Plan, Public Safety Impact Fee Analysis, Parks and Recreation Impact Fee Analysis, and Transportation Impact Fee Analysis and GIS mapping and model creation of the Apple Valley water system. The Storm Water Master Plan is the bulk of the project, this plan will provide general requirements for the sizing, maintenance, and configuration of storm water infrastructure within the Town. The Stormwater Master Plan will also include a cost analysis of various system improvements and recommendations needed to manage current and future storm water scenarios.

Apple Valley is prone to flooding due to the surrounding topography and soil composition. Increased development has resulted in an increase of storm water runoff and or inundation in both normal and intense storm events. A stormwater plan is needed to mitigate the consequences of storm water runoff to residents while maximizing limited available funds for improvements. The plan is estimated to start in November when funding is secured and conclude approximately 5 months later in April of 2020.

The Impact Fee Analyses for public safety, parks and recreation, and transportation will help the city justify or reset a current impact fee that they have to collect capital for planned improvements due to growth. By completing these studies, the town will enable itself to construct the infrastructure and/or pay past obligations that were initiated all or in part for growth.

This project also includes the mapping of Apple Valley's water system and creating a water model from the mapped data. The GIS data will be published for the operators to have active software that they can keep up to date. The water model will be helpful to identify deficiencies in the towns water system and give a head start for a Water Master Plan that is planned to be funded by DWB.

Obtaining financial assistance for the project will help the Town of Apple Valley provide better service in flood prevention, public safety, recreation, and transportation. The Town has investigated self-funding but does not have sufficient funds to cover the extent of the needed plans. If the Town is unable to obtain the financial assistance requested, the Town and residents will continue to face the existing flooding and drainage burdens and not be able to properly mitigate it or take advantage of improvements/impact fees from new development.

SITE PHOTOS:

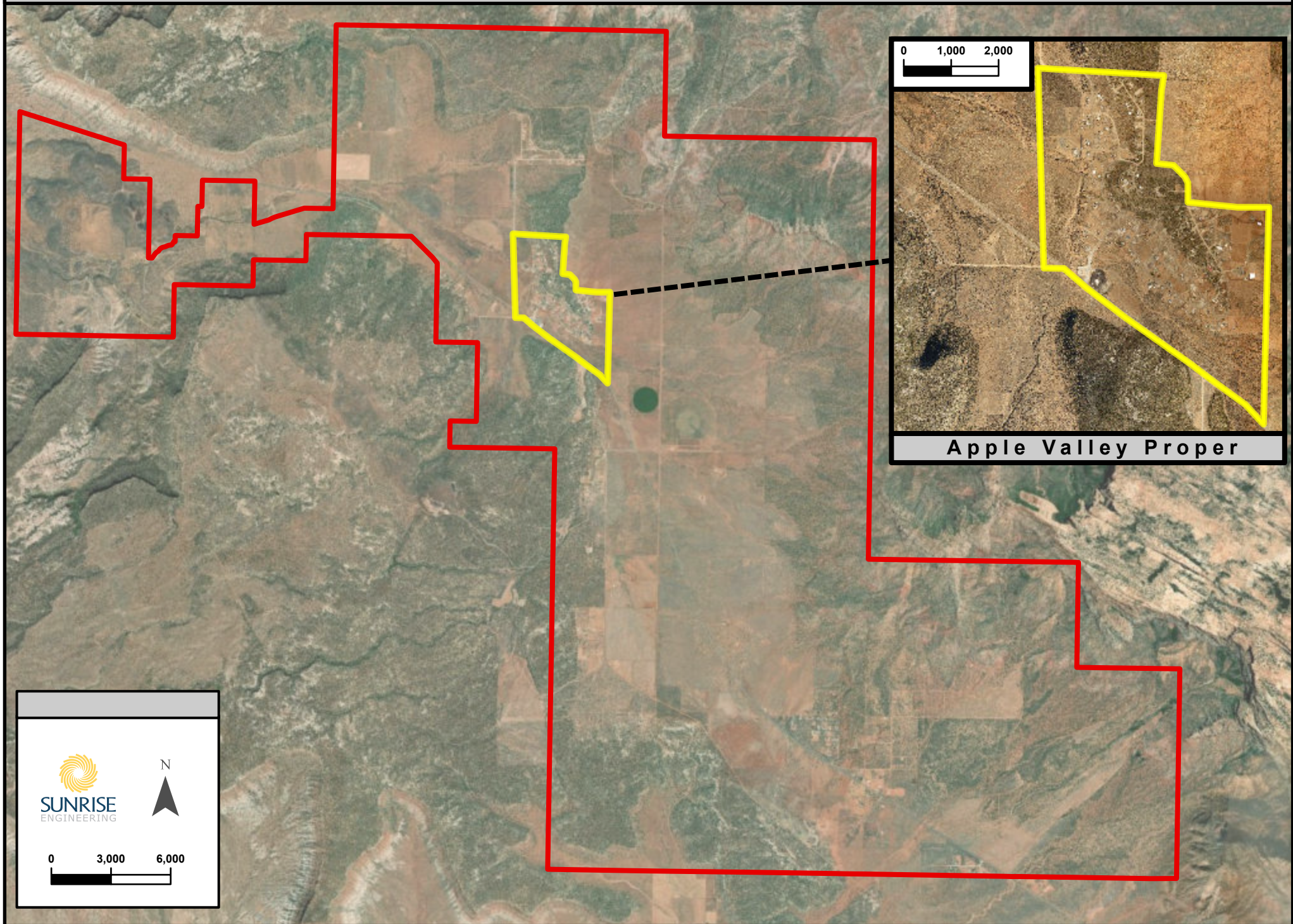




ATTACHMENT #2

PROJECT LOCATION

Site Map - Town of Apple Valley





11 North 300 West, Washington, Utah 84780
TEL 435.652.8450 | FAX 435.652.8416

May 24, 2019

Marty Lisonbee, Mayor
Town of Apple Valley
1777 N Meadowlark Dr.
Apple Valley, UT 84737

RE: Budget Cost Estimate

Dear Mayor,

The following is an estimated cost to provide the Stormwater, Public Safety, Parks & Trails, and Roads/Streets Master Planning including Impact Fee Analyses and GIS mapping and Water System Modeling.

STORMWATER, PUBLIC SAFETY, PARKS & TRAILS, AND ROADS MASTER PLANNING 2019
BUDGETED FEE

Estimated cost for labor to perform the following scope of services is \$100,000.

SCOPE OF WORK

STORM WATER IMPACT FEE FACILITIES PLAN

1. Generate project base map of Town.
 - a. Use existing aerial photography and USGS quad maps.
 - b. Apply basic land use, zoning, & density plans from Apple Valley.
 - c. Gather and incorporate publicly available digital contour data.
 - d. Gather and incorporate publicly available geologic and soil type data.
 - e. Gather and incorporate publicly available floodplain data.
 - f. Gather existing Apple Valley GIS data, model(s), maps, plans, studies, and standards related to relevant aspects of the plan.
 - g. Identify significant drainage structures including culverts, bridges, low-flow crossings, roadway crossings, retention ponds, dikes or levees and reservoirs.
 - h. Reflect flow modeling on mapping.
 - i. Where existing data is insufficiently detailed in Apple Valley proper (defined in the attached Site Map), collect planning-level elevation points of critical drainage flowlines and slopes.
2. Coordinate with Apple Valley Town and Washington County Flood Control to obtain topographic mapping, any watershed studies that they may have, and to invite input on the master plan.

3. Gather population and growth data.
 - a. In consultation with CLIENT and after review of existing census or population data, prepare population growth projections.
4. Define stormwater basins & sub-basins.
 - a. Use modeling software to generate stormwater basin & sub-basin boundaries
 - b. General basins will be modeled for drainages affecting property within the municipal boundaries; more detailed sub-basins will be modeled for Apple Valley proper as defined in the attached Site Map.
5. Quantify existing flows in stormwater basins and sub-basins.
 - a. Gather and incorporate publicly available precipitation IDF data.
 - b. Evaluate the design storm frequency, duration, and distribution to be used in the models and provide recommendations on standard storm routing through Apple Valley proper.
 - c. Use modeling software to generate runoff hydrographs for basins and sub-basins.
6. Quantify post-development flows for the buildout horizon in stormwater basins and sub-basins.
 - a. Calculate peak storm runoff discharges.
 - b. Use modeling software to generate runoff hydrographs for basins and sub-basins.
7. Evaluate the hydraulic capacity of existing facilities in Apple Valley proper.
 - a. Coordinate with CLIENT for basic mapping of stormwater facilities and flow paths for each sub-basin.
 - b. Use spreadsheets or modeling software to model pipe facilities and open channel facilities, based on topographic and planning-level survey information provided by CLIENT or collected as part of the Scope of Services.
8. Recommended improvements to existing facilities.
 - a. Evaluate existing and system deficiencies.
 - b. Develop plan view maps of recommended improvements to existing facilities and potential retention basins.
 - c. Provide recommendations regarding drainage and retention basin easements/agreements.
9. Develop a preliminary layout and infrastructure plan for future improvements.
 - a. Develop storm drain layout & sizes of improvements under buildout conditions.
10. Provide an Impact Fee Analysis.
 - a. Calculate the capacity of existing facilities.
 - b. Calculate an existing Level of Service (LOS).
 - c. Identify Impact Fee Eligible expenses.
 - d. Recommend a maximum allowable Impact Fee, including
 - i. Calculations,
 - ii. Written lay person summary, and
 - iii. Certification of Impact Fee Analysis.
11. Develop a financial viability analysis.
 - a. Calculate the infrastructure cost for recommended improvements of the existing system.
 - b. Calculate infrastructure costs for the 20-year horizon.

- c. Prepare a 20-year cash flow analysis.
 - d. Identify potential user rate concepts (does not include user rate analysis)
 - e. Provide recommendations for assessing developer responsibility on development driven improvements.
12. Generate a Storm Water Master Plan report sufficient to comply with the Impact Fee Facilities Plan requirement.
 - a. Issue the plan in report format for delivery to CLIENT (mapping deliverables will be in hard copy and GIS formats).
 13. Make site visits and attend meetings with CLIENT to perform the work; limited to one kickoff meeting, one Town Council meeting (Town of Apple Valley), and one public hearing to present the final draft and potential Impact Fee.
 14. Coordinate with Federal or Utah State agencies such as BLM and NRCS.
 15. Provide recommendations for pursuing infrastructure project funding through various funding agencies.
 - a. Review potential funding alternatives from applicable agencies.
 - b. Recommend courses of action for pursuing project funding.

PUBLIC SAFETY PLAN

16. Gather existing Apple Valley data, plans, studies, and standards related to relevant aspects of the plan.
17. Coordinate with Apple Valley Town and applicable Washington County agencies to invite input on the plan.
18. Provide an Impact Fee Analysis.
 - a. Calculate the capacity of existing facilities.
 - b. Calculate an existing Level of Service (LOS).
 - c. Develop list of future improvements based on Town's feedback and direction, engineering judgement.
 - d. Identify applicable Impact Fee Eligible expenses past and future.
 - e. Recommend a maximum allowable Impact Fee, including
 - i. Calculations,
 - ii. Written lay person summary, and
 - iii. Certification of Impact Fee Analysis.

PARKS PLAN

19. Gather existing Apple Valley data, plans, studies, and standards related to relevant aspects of the plan.
20. Coordinate with Apple Valley Town, Dixie MPO, etc. to invite input on the plan.
21. GIS Mapping and exhibits
 - a. Map existing facilities in GIS.
 - b. Provide exhibit of recommended improvements.
22. Provide an Impact Fee Analysis.
 - a. Calculate the capacity of existing facilities.
 - b. Calculate an existing Level of Service (LOS).

- c. Develop Parks master plan including future improvements based on Town's feedback and direction, and engineering judgement.
- d. Identify applicable Impact Fee Eligible expenses past and future.
- e. Recommend a maximum allowable Impact Fee, including
 - i. Calculations,
 - ii. Written lay person summary, and
 - iii. Certification of Impact Fee Analysis.

ROAD/STREETS PLAN

- 23. Gather existing Apple Valley data, plans, studies, and standards related to relevant aspects of the plan.
- 24. Coordinate with Apple Valley Town and Washington County Roads to invite input on the plan.
- 25. GIS Mapping and exhibits
 - a. Map existing facilities in GIS.
 - b. Provide exhibit of recommended improvements.
- 26. Provide an Impact Fee Analysis.
 - a. Calculate the capacity of existing facilities.
 - b. Calculate an existing Level of Service (LOS).
 - c. Develop road master plan including future improvements based on Town's feedback and direction, and engineering judgement. The scope of this plan will not include traffic modeling or any analysis for Highway 59 as this is controlled and operated by UDOT.
 - d. Identify applicable Impact Fee Eligible expenses past and future.
 - e. Identify Impact Fee Eligible expenses.
 - f. Recommend a maximum allowable Impact Fee, including
 - i. Calculations,
 - ii. Written lay person summary, and
 - iii. Certification of Impact Fee Analysis.

WATER SYSTEM MAPPING AND MODELING

- 27. GIS Utility Mapping
 - a. Create a map of water system in GIS for the purpose of providing a basis for a computer-based hydraulic network model. This map will be based off of existing mapping from the Town or the Water District.
 - b. Convert, & Publish GIS Data for the culinary water system and any of the applicable systems in other the other plans listed above.
 - i. Includes two years of cloud server access.
 - ii. Includes setup.
- 28. Water Modeling
 - a. Create a working a computer-based hydraulic network model for the system.


The scopes of work have the following assumptions or exclusions:

- 1. The compensation fee does not include detailed survey services for the purpose of defining locations and elevations of existing storm drain facilities.
- 2. Contours and elevations necessary for the planning effort will be obtained from publicly and readily available sources.

3. Elevations at hydraulic structures may be obtained from as-built plans, if available.
4. Production of LOMR, LOMA and following through with FEMA on recommendations generated through Task II, will be done upon request of CLIENT and performed on an hourly rate basis.
5. Assumes that public meetings for all impact fee enactment(s) will be held in conjunction with other impact fee analyses.
6. Excluded are any efforts answering concerns or defending impact fee methodology, analysis or calculations to a 3rd party; ie SUHBA, etc..
7. CLIENT will provide updated zoning, population, and/or land use maps.
8. CLIENT will provide updated financial information and public facilities information.
9. CLIENT will provide any municipal "vision" for public facilities.
10. This compensation fee does not include roadway modeling or planning.

We are glad to assist the Town of Apple Valley with planning estimates. If the Town has any questions regarding these cost estimates, or if there are any adjustments that you would like to consider, please let me know. You can reach me at 435.652.8450 if you need additional information.

Sincerely,



Marvin J Wilson, P.E.
Principal Engineer

ATTACHMENT #3

CIB CAPITAL IMPROVEMENT LIST

Attachment 3 Explanation: The Town of Apple Valley is on the Local Capital Improvements list at #2 for “Storm Water Drainage Projects”. The town is having flooding issues and needs a storm water drainage project to resolve the flooding; however, prior to a large storm water project the town recognizes that it is prudent to complete a Storm Water Master Plan to provide recommendations for locations, sizes, and determine required capacities for the project to best mitigate the issues. This portion of the application is to create a Stormwater Master Plan that will give recommendations for the “Storm Water Drainage Projects.”

The town is also on the list at #12 for “Impact Fee Study and Water Master Plan, with GIS mapping” which is the remainder of the scope of the application request, with the exception of the completed water master plan. Much of the foundation for a future water master plan will be started with this scope as the current system will be mapped and modeled which will give a head-start for the current system will be mapped and modeled which will give a head-start for the master plan. A separate application to the DWB will be submitted for a planning advance for the remainder for the funding to complete the water master plan.

WASHINGTON COUNTY

CIB One Year List: Page 1 of 3

LOCAL CAPITAL IMPROVEMENTS**ONE-YEAR CONSOLIDATED AND PRIORITIZED LIST****FOR JUNE 3, 2019, OCTOBER 1, 2019, AND FEBRUARY 3, 2020 APPLICATIONS
TO THE UTAH PERMANENT COMMUNITY IMPACT FUND BOARD**

(List was prioritized by participating entities on 03/22/2019 . List was opened, amended, and re-prioritized by consensus of participating entities on 05/16/2019)

County-wide Priority	Applicant Priority	Name of Jurisdiction	Project Description	Estimated Total Project Cost	Revenue Sources/Shares		Planned CIB Submission Trimester
1	H-1	Hildale City	Culinary Water Source Remediation Project	\$3,100,000	City \$370,000 DDW Emerg. Grant \$500,000	CIB \$TBD	June 2019
2	H-1	Town of Apple Valley	Storm Water Drainage Projects	\$2,000,000	FEMA \$1,500,000 Grant	CIB \$250,000 Loan \$250,000 Grant	June 2019
3	H-1	Town of Leeds	Main Street Storm Drainage Improvements	\$632,000	Town \$12,000 UDOT \$500,000	CIB \$100,000 Loan \$20,000 Grant	June 2019
4	H-1	Town of Rockville	New HVAC System for the Rockville Recreation Building	\$30,000	Town \$5,000	CIB \$25,000 Grant	June 2019
5	H-1	St. George City	St. George City Campus Expansion (City Hall & Police Station Buildings)	\$14,000,000	City \$2,600,000	CIB \$11,000,000 Loan	June 2019
6	H-1	Santa Clara City	Remodel and Addition to Fire Station	\$1,000,000	City \$300,000	CIB \$1,000,000 Loan	June 2019

(List re-prioritized on 05/16/2019)

WASHINGTON COUNTY**CIB One Year List: Page 2 of 3**

County-wide Priority	Applicant Priority	Name of Jurisdiction	Project Description	Estimated Total Project Cost	Revenue Sources/Shares		Planned CIB Submission Trimester
7	H-1	Ivins City	Ivins Secondary Irrigation System Phas 1a	\$4,700,000	<u>City</u> \$600,000	<u>CIB</u> \$4,100,000 Loan	February 2020
8	H-1	Hurricane City	Frog Hollow Detention Basin Flood Control Project	\$3,200,000	<u>NRCS</u> \$2,400,000 Grant	<u>CIB</u> \$800,000 Loan	October 2019
9	H-1	LaVerkin City	Culinary Water Pipeline Modernization Project	\$1,000,000	<u>City</u> \$42,000	<u>CIB</u> \$958,000 Loan	February 2020
10	H-1	Town of New Harmony	Multipurpose Community Center/Town Office Building	\$200,000	<u>Town</u> \$5,000	<u>CIB</u> \$100,000 Loan \$95,000 Grant	June 2019
11	H-2	Town of Rockville	Maintenance Shed 36' W x 15' H x 40' L	\$30,000	<u>Town</u> \$5,000	<u>CIB</u> \$45,000 Grant	October 2019
12	H-2	Town of Apple Valley	Impact Fee Study and Water Master Plan, with GIS mapping	\$50,000	<u>Town</u> \$25,000	<u>CIB</u> \$25,000 Grant	June 2019
13	H-1	Town of Springdale	Storm Water Mater Plan	\$40,000	<u>Town</u> \$20,000	<u>CIB</u> \$20,000 Grant	June 2019
14	H-2	Town of Springdale	Secondary Water System Master Plan	\$40,000	<u>Town</u> \$20,000	<u>CIB</u> \$20,000 Grant	June 2019
15	H-1	Town of Virgin	Drainage Master Plan Study	\$50,000	<u>Town</u> \$25,000	<u>CIB</u> \$25,000 Grant	June 2019

(List re-prioritized on 05/16/2019)

WASHINGTON COUNTY

CIB One Year List: Page 3 of 3

County-wide Priority	Applicant Priority	Name of Jurisdiction	Project Description	Estimated Total Project Cost	Revenue Sources/Shares		Planned CIB Submission Trimester
16	H-1	Pine Valley Fire SSD	Increase Number of Fire Hydrants by 15 with Pipeline Upgrades for Fire Flow	\$150,000	<u>PVFSSD</u> \$75,000	<u>CIB</u> \$75,000 Grant	October 2019
17	M-1	LaVerkin City	Feasibility Study of Community Center Building and Property	\$40,000	<u>City</u> \$20,000	<u>CIB</u> \$20,000 Grant	October 2019
18	M-1	Hurricane City	600 North Trail (200 West to Grandpa's pond	\$2,300,000	<u>City</u> \$500,000 <u>RAP Taxes</u> \$200,000	<u>CIB</u> \$1,600,000 Loan	February 2020
19	M-2	Hurricane City	Rodeo Grounds Improvements	\$1,200,000	<u>City</u> \$200,000	<u>CIB</u> \$1,000,000 Loan	February 2020

ATTACHMENT #4

PUBLIC HEARING

PUBLIC HEARING

The town of Apple Valley has not held a Public Hearing. The hearing has been advertised to take place Wednesday June 5, 2019. Meeting minutes will be sent to the CIB once recorded.

Text of Ad: **05/22/2019**

**TOWN OF APPLE VALLEY
Town Council
Hearing Notice**

Public notice is given that the Town Council of the Town of Apple Valley, Washington County, Utah will hold a Public Hearing on **Wednesday, June 05, 2019, at 6:00 PM** at the Apple Valley Town Hall, 1777 N. Meadowlark Dr., Apple Valley, Utah.

Notice is hereby given that the Town of Apple Valley Town Council will consider the following for approval:

Making and preparing an application to the Community Impact Board to complete a storm water drainage study. Items to be discussed include: funding options, project scope, implementation schedule, and its effects on residents.

Interested persons are encouraged to attend public hearings or present their views in writing at least one day prior to the meeting.

**Pub#3584637
Published: May 23, 2019
The Spectrum
UPAXLP**

ATTACHMENT #5

ASSOCIATION OF GOVERNMENTS NOTIFICATION

AOG REVIEW/COMMENTS

The Five County Association of Governments has informed the Town of Apple Valley that they will review our application at their June 12, 2019 Steering Committee meeting and will then provide their review comments directly to the state CIB staff.

ATTACHMENT #6

AFFORDABLE HOUSING PLAN

The Town of Apple Valley currently has a population of less than 1,000 residents. As such an affordable housing plan is not needed for this municipality.

PART E. ITEM 8

PLANNING APPLICATION ~ STREET & ROAD APPLICATIONS

PERMANENT COMMUNITY IMPACT FUND BOARD
APPLICATION ADDENDUM FOR PLANNING GRANTS
This addendum is required for all planning applications
(June 2019)

PART A. GENERAL INFORMATION

Project Title: Apple Valley Storm Water Master Plan 2019, Apple Valley Public Safety Impact Fee Facilities Plan 2019, Apple Valley Parks and Recreation Impact Fee Facilities Plan 2019, Apple Valley Transportation Impact Fee Facilities Plan 2019

1. Applicant / Organization

Name: **Town of Apple Valley**

2. Contact Person

Name: Marty Lisonbee, Mayor
Phone: (435) 877-1190

Email: mayor@applevalleyut.gov

PART B. FUNDING CRITERIA

1. Procurement Process

Applicant has followed the authorized procurement process completely? ☒ Yes ☐ No

Please attach a copy of authorized procurement policy (Note: if applicant organization has not yet adopted its own procurement policy, Utah Code 63G-6a and Administrative Rule R33 apply).

2. Engaged Leadership

Has applicant worked with the Association of Government (AOG) regional planner on the application and scoping of the project?

☒ Yes ☐ No

Has applicant contacted Community Development Office staff to help complete the application or scope the project?

☐ Yes ☒ No

Is applicant currently working with your AOG regional planner on community development essentials (e.g. active planning commission, updated ordinances, capital asset inventory, etc.)? ☒ Yes ☐ No

3. Need for Plan

Is this an update to an existing plan/study? ☐ Yes* ☒ No

*If yes, how old is the existing plan/study?

Is there a legal requirement for the plan/study? ☐ Yes ☒ No

How does this project rank on the capital improvement list? (check one)

☐ Low

☐ Medium

☒ High

Please indicate the level of urgency in completing this plan/study (check one):

- ☐ We have time, right now
- ☒ Pressing but not urgent
- ☐ Highly time sensitive or another pending action relies on this project (please describe)

4. Community Preparation

Please indicate the extent to which the community has prepared for this project (check one):

- ☐ No work or research performed yet
- ☒ Limited investigation
- ☐ Preliminary work completed (please describe:)

Is money being set aside or already budgeted for this project? ☒ Yes ☐ No

Please list other funding sources that will be used/considered in completing the project:

No other funding sources will be used. The local match will be provided by the Town.

5. Use of Best Practices

Please indicate which of the following will be part of the planning process (check *all* that apply):

- ☒ Consideration of regional context
- ☒ Involvement of neighboring jurisdictions
- ☒ Integration with other internal plans (master plans, studies, etc.)
- ☐ AOG regional planner/CDO involvement in project
- ☐ Other (please describe)

Are there future projects anticipated from this plan/study? ☒ Yes* ☐ No

*If yes, please describe:

We anticipate this planning process to identify necessary secondary water improvements, such as modifications to the pressurized distribution system, water meters, rate schedules, and so forth to improve the operation of the secondary system. These improvements will be added to the Town's capital improvement list.

6. Community Benefit

What percent of the community will benefit from this project? (check one)

- ☐ 10-25%
- ☐ 25-50%
- ☐ 50-75%
- ☒ >80%

7. Public Engagement Plan / Public Support

Please attach any letters of support or opposition received to date.

Please describe how you plan to collect input from community members on this project (include the number and location of meetings, communication channels, targeted audiences, and any other specific outreach planned at this time):

The Plan will be publicized for the community, and input will be requested. Ultimately the Plan will be reviewed by the Town Council in a public meeting where the community can provide input.

No letters of support or opposition have been received to date.

RESOLUTION NO. 2013-05

ADOPTION OF PURCHASING POLICY

WHEREAS, the Town Council of the Town of Apple Valley has determined that its purchasing policies should ensure the fair and equitable treatment of all persons and entities whom desire to conduct business with the Town of Apple Valley; and

WHEREAS, the Town of Apple Valley's purchasing policies should provide for the greatest possible economy in its procurement of goods and services; and

WHEREAS, the Town of Apple Valley's purchasing policies should foster effective broad-based competition within the free enterprise system to ensure that the Town of Apple Valley will receive the best possible service or product at the lowest possible prices.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH:

This resolution is made, voted upon and passed by the Town Council of the Town by the following vote of its members:

Mayor Rick Moser	Aye___ Nay___
Councilperson Roger Ashmore	Aye___ Nay___
Councilperson Kevin Sair	Aye___ Nay___
Councilperson Dale Kingsley	Aye___ Nay___
Councilperson Trevor Black	Aye___ Nay___

Dated this day 21st of November, 2013.

ATTEST:

Nathan Bronemann, Town Recorder

Richard Moser, Mayor

EXHIBIT A

PURCHASING POLICY FOR THE TOWN OF APPLE VALLEY

ARTICLE 1 GENERAL PROVISIONS

A) The underlying purposes of this policy are:

- 1) To ensure fair and equitable treatment of all persons who wish to, or do conduct business with the Town of Apple Valley of Apple Valley;
- 2) To provide for the greatest possible economy in Town of Apple Valley procurement activities; and
- 3) To foster effective broad-based competition within the free enterprise system to ensure that the Town of Apple Valley will receive the best possible service or product at the lowest possible price.

B) Compliance - Exemptions from this policy.

- 1) This policy shall not prevent the Town of Apple Valley from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.
- 2) When procurement of goods or services involves the expenditure of federal assistance funds, the Town of Apple Valley shall comply with applicable federal law and regulations.

C) Definitions

- 1) "Business" means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.
- 2) "Change order" means a written order signed by the purchasing agent, directing the contractor to suspend work or make changes, which the appropriate clauses of the contract authorize the purchasing agent to order without the consent of the contractor or any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity, or other provisions of any contract accomplished by mutual action of the parties to the contract.
- 3) "Contract" means any Town of Apple Valley agreement for the procurement or disposal of supplies, services, or construction.
- 4) "Invitation for bids" means all documents, whether attached or incorporated by reference, used for soliciting bids.
- 5) "Person" means any business, individual, union, committee, club, other organization, or group of individuals.
- 6) "Procurement" means buying, purchasing, renting, leasing, leasing with and option to purchase, or otherwise acquiring any supplies, services, or construction.

7) "Purchasing agent" means the person duly authorized by the town council of the Town of Apple Valley to enter into and administer contracts and make written determinations with respect thereto.

8) "Purchase description" means the words used in a solicitation to describe the supplies, services or construction to be purchased, and includes specifications attached to or made a part of the solicitation.

9) "Request for proposals" means all documents, whether attached or incorporated by reference, used for soliciting proposals.

ARTICLE 2 OFFICE OF THE PURCHASING AGENT

The Town Council shall appoint a purchasing agent. The purchasing agent shall be responsible to make procurements, solicit bids and proposals, enter into and administer contracts, and make written determinations for the Town of Apple Valley.

ARTICLE 3 SOURCE SELECTION AND CONTRACT FORMATION - GENERAL PROVISIONS

A) Purchase not requiring sealed bids.

1) Purchases costing less than \$1,000 in total, shall not require bids of any type. (Purchases shall not be artificially divided so as to constitute a small purchase under this section.)

2) Purchases costing more than 1,000 but less than \$2,000 in total (2 to 3 telephone bids required).

3) Purchases made through the cooperative purchasing contracts administered by the State Division of Purchasing.

4) Purchases made from a single-source provider.

5) Purchases required during an emergency, i.e., an eminent threat to the public's health, welfare, or safety. Emergency purchases should be limited to amounts necessary to the resolution of the emergency and as much competition as practical should be utilized.

6) Purchase orders will be required for all purchases over \$100.

B) Purchases requiring sealed bids.

1) Contracts shall be awarded by competitive sealed bidding except as otherwise provided by this policy.

2) An invitation for bids shall be issued when a contract is to be awarded by competitive sealed bidding. The invitation shall include a purchase description and all contractual terms and conditions applicable to the procurement. Public notice of the invitation for bids shall be given at least 7 days prior to the date set forth therein for the opening of bids. The notice shall comply with the requirements of Utah Code Annotated 63G-6A-406.

3) Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitations for bids. The amount of each bid and any other relevant information, together with the name of each bidder, shall be recorded. The record and each bid shall be open to public inspection.

4) Bids shall be unconditionally accepted without alternation or correction, except as authorized in this policy. Bids shall be evaluated based on the requirements set forth in the invitation for bids.

5) Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted. After bid opening no changes in bid prices or other provisions of bids prejudicial to the interest of the Town of Apple Valley or fair competition shall be permitted. All decisions to permit the correction or withdrawal of bids or to cancel awards or contracts based on bid mistakes shall be supported by a written determination made by the purchasing agent.

6) The contract shall be awarded with reasonable promptness, by written notice, to the lowest bidder whose bid meets the requirements and criteria set forth in the invitation for bids.

C) Cancellation and rejection of bids.

An invitation for bids, a request for proposals, or other solicitations may be canceled, or any or all bids or proposals may be rejected, in whole or in part, as may be specified in the solicitation, when it is in the best interests of the Town of Apple Valley. The reasons shall be made part of the contract file.

D) Use of competitive sealed proposals in lieu of bids.

When the purchasing agent determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the Town of Apple Valley, a contract may be entered into by competitive sealed proposals. Competitive sealed proposals are most appropriately used for professional service-type contracts.

1) Proposals shall be solicited through a request for proposals. Public notice of the request for proposals shall be given at least 7 days prior to the advertised date of the opening of the proposals.

2) Proposals shall be opened so as to avoid disclosure of contents to competing offers during the process of negotiation. A register of proposals shall be prepared and shall be open for public inspection after contract award.

3) The request for proposals shall state the relative importance of price and other evaluating factors.

4) Applicants shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conduction discussions, there shall be no disclosure of any information derived from proposals submitted by competing applicants.

5) Award shall be made to the person or entity whose proposal is determined, in writing, to be the most advantageous to the Town of Apple Valley, taking into consideration price and the evaluation factors set forth in the request for proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.

E) Architect-Engineer and legal services are qualification-based procurements. Requests for such services should be publicly announced. Contracts should be negotiated by the Town of Apple Valley based on demonstrated competence at fair and reasonable prices.

F) Determination of non-responsibility of bidder.

Determination of non-responsibility of a bidder or applicant shall be made in writing. The unreasonable failure of a bidder or applicant to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of non-responsibility with respect to the bidder or applicant.

Information furnished by a bidder or applicant pursuant to this section shall not be disclosed outside of the purchasing process without prior written consent by the bidder or applicant.

G) Cost-plus-a-percentage-of-cost contracts prohibited.

Subject to the limitations of this section, any type of contract which will promote the best interests of the Town of Apple Valley may be used, provided that the use of a cost-plus-a-percentage-of-cost contract is prohibited. A cost reimbursement contract may be used only when a determination is made in writing that such contract is likely to be less costly to the Town of Apple Valley than any other type or that it is impracticable to obtain the supplies, services, or construction, required except under such a contract.

H) Required contract clauses.

- 1) The unilateral right of the Town of Apple Valley to order, in writing, changes in the work within the scope of the contract and changes in the time of performance of the contract that do not alter the scope of the contract work.
- 2) Variations occurring between estimated quantities of work in a contract and actual quantities.
- 3) Suspension of work ordered by the Town of Apple Valley.

ARTICLE 4 SPECIFICATIONS

All specifications shall seek to promote overall economy and best use for the purposes intended and encourage competition in satisfying the Town of Apple Valley's needs, and shall not be unduly restrictive. Where practical and reasonable, and within the scope of this article, Utah products shall be given preference.

ARTICLE 5 APPEALS

A) Any actual or prospective bidder, applicant, or contractor who is aggrieved in connection with the solicitation or award of a contract may appeal to the purchasing agent. An appeal shall be submitted in writing within 5 working days after the aggrieved person knows or should have known of the facts.

B) The purchasing agent shall promptly issue a written decision regarding any appeal, if it is not settled by a mutual agreement. The decision shall state the reasons for the action taken and inform the protestor, contractor, or prospective contractor of the right to appeal to the Town Council.

C) The Town Council shall be the final appeal at the administrative level.

D) All further appeals shall be handled as provided in Utah Code Sections 63-56-58 through 63-56-64.

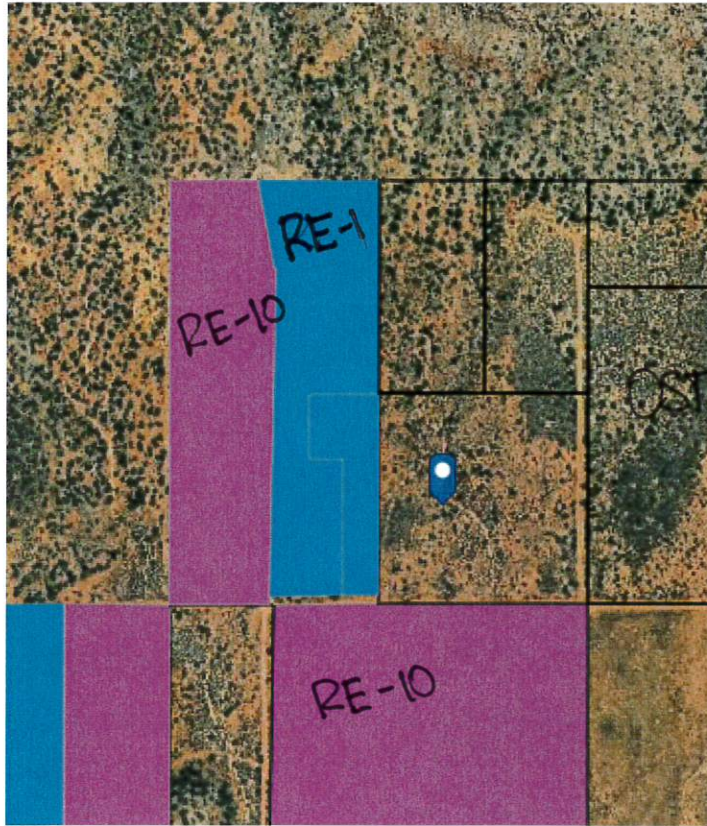
ARTICLE 6 ETHICS IN PUBLIC CONTRACTING

A) No person involved in making procurement decisions may have personal investments in any business entity which will create a substantial conflict between their private interests and their public duties.

B) Any person involved in making procurement decisions is guilty of a felony if the person asks, receives, or offers to receive any emolument, gratuity, contribution, loan, or reward, or any promise thereof, either for the person's own use or the use or benefit of any other person or organization from any person or organization interested in selling to the Town of Apple Valley.

Item Attachment Documents:

5. Zone Change for AV-1365-K from OST to RE-5, Richard and Debbie Kopp



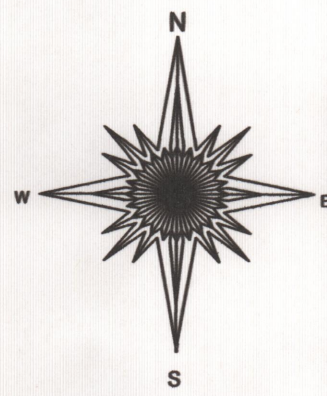
Apple_Valley_Zoning_20181211: AV-1365-K

PARCEL ID	AV-1365-K
PARCEL ADDRESS	
PARCEL CITY	Apple Valley
PARCEL ZIP	84737
OWNER	JESSOP ROYAL MATT
OWNER ADDRESS	1854 S 1800 E
OWNER CITY	APPLE VALLEY
OWNER STATE	UT
OWNER ZIP	84737
LEGAL	S: 14 T: 43S R: 11W S1/2 E1/2 NW1/4 NE1/4 SEC 14 T43S R11W
ZONING	OST/OSC - Proposed RE-5
ACRES	10.00

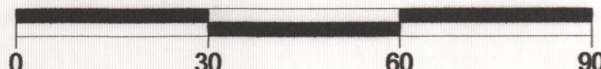
RECORD OF SURVEY

RICHARD & DEBBI KOPP PROPERTY

LOCATED IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN



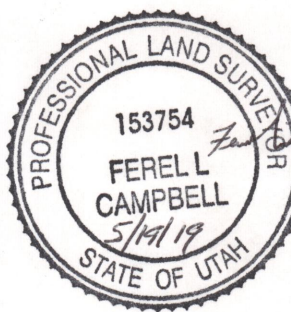
SCALE : 1" = 30'



SURVEYORS CERTIFICATE

I FEREL L. CAMPBELL, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, CERTIFICATE NO. 153754. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNER, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW.

Date: 5/19/19



Ferel L. Campbell
Ferel L. Campbell
Utah L.S. 153754

N 1/4 CORNER SEC. 14
T. 41 N., R. 11 W., SLB & M

N 89°56'22" E (Bearing Basis)
1319.07'

N.E. CORNER OF THE
E1/2 NW1/4 NE1/4
SEC. 14, T. 43 S., R. 11 W.

N 89°58'32" E
330.13'

N 89°58'32" E
330.13'

P.O.B.

RICHARD & DEBBI KOPP

PROPERTY DESCRIPTION: THE WEST 1/2 OF PARCEL NO. AV-1365-K.
Containing 5.00 acres

RICHARD & DEBBI KOPP

PROPERTY DESCRIPTION: THE EAST 1/2 OF PARCEL NO. AV-1365-K
Containing 5.00 acres

N 0°00'46" W 634.37'

N 0°01'06" E
659.30'

S 0°02'44" W
659.22'

329.82'
N 89°57'46" E

North R/W Line

329.82'
N 89°57'46" E

25' Wide Roadway

N 89°57'46" E 329.82'

N 89°57'46" E 659.64'

329.82' S 89°57'46" W

LEGEND

• Section Cor. Or 1/4 Cor.

• Property Corners Set

NARRATIVE

THE PURPOSE OF THIS SURVEY
IS TO SPLIT PARCEL AV-1365-K
INTO TWO SEPARATE PARCELS.

At Cleints Request: No Sunshine Acres Reviewed

Property Description

DESCRIBED AS:

Beginning at a point N.89°56'22"E., along the Section Line, 1319.07 feet, and
S.0°02'44"W. 659.79 feet from the North 1/4 Corner of Section 14, Township 43
North, Range 11 West, Salt Lake Base and Meridian, and running thence
S.0°02'44"W. 659.22 feet; thence S.89°57'46"W. 329.82 feet; thence
N.0°01'06"E. 659.30 feet; thence N.89°58'32"E. 330.13 feet to the point of
beginning.

Containing 5.00 acres.

WASHINGTON COUNTY
RECORDERS OFFICE

APPROVAL: APPLE VALLEY TOWN

MARTY LISONBEE :MAYOR

RECORD OF SURVEY MAP

PROPERTY LOCATED IN THE NORTHEAST QUARTER OF
SECTION 14, TOWNSHIP 43 SOUTH, RANGE 11 WEST, SLB & M
APPLE VALLEY, UTAH
SURVEYED FOR RICHARD KOPP

PREPARED BY
ROCKCANYON RESOURCES, LLC
55 S. 300 W. Ste. 3

HURRICANE, UTAH 84737 TELE: 435-635-4124

Item Attachment Documents:

6. Proposed Fee Schedule Modifications



FEE SCHEDULE

(Adopted on 6/5/2019 As Of 5/1/2018)

Administrative Fees

Government Records Access Management Act (GRAMA) Request: To be determined on an individual basis per UCA 63-2-203

Photocopies: 8 1/2 x 11 single or double sided on town paper	\$0.25
11 x 17 single or double sided on town paper	\$0.50
Land Use (Zoning Ordinance)	\$22.00
Subdivision Ordinance	\$9.00
General Plan	\$8.00
Standards and Specifications	\$25.00
Maps 24" x 36"	\$40.00
Maps 11" x 17"	\$5.00
Copies on CDs	\$5.00
Returned check fee: (Utah Code Title 7 Section 15)	\$20.00
Smithsonian Fire Department Facility:-	
Training Room	\$50.00
One Bay (Fire Dept Approval)	\$75.00
Two Bays (Fire Dept Approval)	\$150.00
Refundable Deposit.	\$100.00

Park Reservation

Parks are a first come, first serve basis only

Pavilion Rental 1/2 Day	\$25
Full Day	\$50
<u>Refundable Cleaning Deposit</u>	<u>\$150</u>

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Credit Card Processing Fees

Payments over \$200.00 made with a credit or debit card are subject to an additional 3% processing fee. There is no fee for payments made with cash or check.

Special fees or exceptions may be granted by the Town Council for local non-profit organizations or civic functions depending on scheduling conflicts, etc. Additional fees may be charged if there are special needs; i.e. AV equipment, change in room setup or large groups.

Business Licenses

<u>Alcohol License</u>	<u>Initial</u>	<u>Renewal</u>
Class A Retail License (Off Premises)	\$300.00	\$300.00
Class B Retail License (On Premises)	\$1000.00	\$500.00
Class C Retail License (Draft)	\$1250.00	\$750.00
Class D Special Events License	\$200.00	N/A
Class E Arena/Facility License	\$800.00	\$400.00
Class F Brewpub and Microbrewery License	\$300.00	\$150.00
Temporary License	\$200.00	N/A
Government Owned Facility License	\$400.00	\$200.00



Business License

Commercial:	\$150.00
Additional Use, Commercial:	\$20.00 each use
Home-Based:	\$0.00
Non-Impact	\$0.00
Impact	\$150.00
Local <u>Licensed</u> Non-Profit Organizations:-	\$0.00
Single Event License:	\$100.00
Dog Kennel License: Non-Commercial:	\$50.00
Fire Inspection Fee	\$150.00
Code Inspection Fee	\$150.00
Business License Late fee:	\$25.00 per month or portion of month

Animal Control

Dog License: (1-year license Expires Dec 31)

Spayed/Neutered:	\$10.00
Functional:	\$20.00

Late fee of 25% after February 15.

Impound and Boarding Fees

Impound fee: First offense:	\$30.00
Subsequent Confinement	\$50.00
Boarding fee: Boarding fee shall be applied for each day an animal is impounded.	
Dogs and Cats:	\$5.00 per day
Veterinary Fees: Cost as incurred during the impound period, including rabies vaccine if no evidence of current vaccination is presented.	
Other Animals: Boarding fee for other animals shall be determined by the animal control officer at the time the animal is impounded. Emergency Medical Care: Owner of impounded animal will reimburse actual costs of emergency medical care of impounded animals before animal may be redeemed from the pound.	
(License fee must be paid before dog can be redeemed from impound.)	

Solid Waste

Monthly Fee	\$12.50
-------------	---------

Storm Drainage

Residential	\$10/month
Commercial	\$35/month

Signs

Free Standing Sign	\$100.00
Monument	\$100.00
Temporary Sign	N/A



Wall Sign	N/A
Sign Review Board	\$100.00

Zoning

Annexation	\$1,500.00
Conditional Use Permit (CUP)	\$300.00
Easement Abandonment	\$300.00
Encroachment Permit	\$500.00 + \$10.00 per square foot, \$500.00 non-compliance
General Plan Amendment	\$1,500.00 + Acreage fee
Zone Change	\$500.00 + Acreage fee

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Note: This is a sliding fee schedule charged in the following incremental tier schedule: where first one hundred areas are charged at \$50/ac;

~~The 101-500/ac charged at \$25/ac, etc.~~

First: 1-100 ac. = \$250 per ac.

Then: 100-500 ac. = \$125 per ac.

Then: 500+ = \$40 per ac.

(Note: acreage to be zoned open space; no charge if open space is over 10 acres)

(Note: <1 ac. No acreage charge)

(Note: Open space includes parks, golf courses, flood plains, hillsides and similar natural Areas, but not required recreation areas and setback areas.)

Home Occupation Permit	\$10 Reprint
Lot Line Adjustment	\$200.00 + \$150 Public Hearing Notice, \$50 Admin Costs
Lot Split (2 lots)	\$250.00 per new lot
Non-Compliant Lot Split	\$500.00 per new lot
Planning Staff Review (PSR)	No Fee \$150

Site Plan Review (*SPR)	\$150.00 + Actual Cost \$200.00 + \$50.00/AC, over 1 AC
-------------------------	---

(* An SPR is used for commercial, industrial and institutional developments; exceptions are public schools and minor additions to an existing development)

Engineering/Legal/Admin Fees	Actual Cost
------------------------------	-------------

Planned Developments and Development Agreement Fees

Initial Fee	\$7,500 + Engineering Cost of Services
Revisions/Amendments	\$2,500 + Engineering Cost of Services
Road Dedications	\$125

Subdivisions

Preliminary Plat	\$1,500.00
Final Plat (subdivision, town homes, roads, etc.)	\$200.00 + \$160/per lot

Amendments

Preliminary Plat	\$1,500.00
Final Plat	\$750.00 + \$10.00 per lot



Public Improvement Inspection Fee

2% of Public Works Improvement Construction Costs

Zone Change **\$500.00 + Acreage Fee**
 Zoning Text Charge **\$500.00**

Note: This is a sliding fee schedule where first one hundred acres are charged at \$50/ac;
 Then 101-500/ac. Charges at \$25/ac, etc.
 First: 1-100 ac. = \$50 per ac.

Then: 101-500 ac. = \$25 per ac.
 Then: 501+ = \$10 per ac.

(Note: acreage to be zoned open space; no charge if open space is over 10 acres.)
 (Note: <1 ac. No acreage charge)
 (Note: Amendments to existing PD zones are \$500 + acreage fee for additional acres added to the original PD.)

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Board of Appeals

Variance Application **\$550.00**
 Appeal Hearing **\$550.00**

Building Permits

Pools/Solar/Other **\$375.00**
 Building Permit **Based on Valuation (see table below)**
 Habitat Conservation Plan Fee **.002 of Valuation**
 State Building Permit Surcharge **1% of Building Permit Fee**
 Plan Review **15% of Permit Fee**
 Special Inspection **\$125**
 Re-Inspection Fee **\$125**
 Building Permit Issued After-The-Fact **Double Permit Fee**

TOTAL VALUATION

FEE

~~(Valuation = Square Feet x
 Average Cost)~~

Valuation = Square Feet x
 Current ICC Building Valuation

\$23.50

\$1 to \$500

\$501 to \$2,000

\$23.50 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, to and including \$2,000

\$2,001 to \$25,000

\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000 or fraction thereof, to and including \$25,000



\$25,001 to \$50,000	\$391.75 for the first \$25,000 plus \$10.10 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,000 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000 or fraction thereof

Cemetery Rates

Open/Close Gravesite (weekday)	\$200.00
Open/Close Gravesite (weekend/holiday)	\$300.00
Plot Purchase (Apple Valley Resident)	\$350.00
Plot Purchase (Non-resident)	\$550.00
Cremains (weekday)	\$100.00
Cremains (weekend/holiday)	\$150.00
Infants and Cremations (weekday)	\$100.00
Infants and Cremations (weekend/holiday)	\$150.00

Refunds

Where applicant voluntarily withdraws the application, the following refunds will apply:

Application accepted, no further work done	90% of total filing fee
Notification of hearing	75% of total filing fee
Planning Staff Review (PSR) meeting or written comments from department received.	50% of total filing fee
Staff Report completed	25% of total filing fee
Public hearing held	No Refund
Staff error resulting in mandatory withdrawal	100% refund



Item Attachment Documents:

7. Adoption of Amendments to Land Use Code 10.28.240; Limitations on Height, Size and Location of Garages and Other Accessory Buildings in Residential Zones.

**APPLE VALLEY
ORDINANCE O-2019-05**

GARAGE AND ACCESSORY BUILDING LIMITATIONS

WHEREAS, The Planning Commission and Mayor of the Town of Apple Valley felt the current garage size limitations were too restrictive for attached garages and the town code required modification; and

WHEREAS, the Planning Commission of the Town of Apple Valley held a public hearing on May 8th, 2019 to hear public comment about changes to section 10.28.240; and

WHEREAS, the Planning Commission listened to the comments made and recommend that the following amendments be adopted by the Town Council of the Town of Apple Valley; and

WHEREAS, The Town Council has reviewed the Planning Commission's recommendation and has determined that these amendments are in the best interest of the health, safety, and welfare of the citizens of the Town of Apple Valley; and

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, notice and held on the 5th day of June, 2019, and upon motion duly made and seconded:

NOW THEREFORE, be it ordained by the Town Council of Apple Valley, in the State of Utah, that Land Use Code 10.28.240 is as follows:

SECTION 1: **AMENDMENT** “10.28.240 Limitations On Height, Size And Location Of Garages And Other Accessory Buildings In Residential Zones” of the Apple Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

10.28.240 Limitations On Height, Size And Location Of Garages And Other Accessory Buildings In Residential Zones

In an effort to avoid the appearance of commercial style buildings in residential zones, and to protect the character and stability of residential neighborhoods, the following requirements for garages and other accessory buildings located in residential zones are provided:

A. Maximum Garage Height:

1. No detached garage shall be higher than twenty feet (20'), measured from finish grade to the highest point of its roof, or higher than the highest point of the roof of the primary building, whichever is less. Exception: Detached garages located a minimum of forty feet (40') from the primary building may be twenty feet (20') maximum height regardless of the height of the primary building.
2. No attached garage shall be higher than the primary building.
- B. Number Of Garages: A maximum of one attached and one detached garage may be allowed on each lot in association with a primary residential dwelling unit.
- C. Maximum Accessory Building Height: No accessory building, with the exception of detached garages, including agricultural use accessory buildings, shall be higher than fifteen feet (15'), measured from average finished grade, unless a higher finished grade is required by the city for proper drainage, in which case, it will be measured from the finished grade.
- D. Size, Location and Construction of Attached and Detached Garages and other Accessory Buildings in Residential Zones:
 1. The total square footage of any attached garage and non-living space shall not be greater than fifty percent (50%) of the square footage of the footprint of the primary structure, excluding the attached garage.
 2. The total square footage of any detached garage or other accessory building, including agricultural use accessory buildings, shall not be greater than fifty percent (50%) of the footprint of the primary structure, including the attached garage. Note: Habitable space located in the attic areas of detached garages shall be included in the total square footage.
 3. The cumulative total square footage of any attached garage, detached garage and all other accessory buildings, including agricultural use accessory buildings, shall not be greater than twenty five percent (25%) of the rear yard. For the purposes of this section, the "rear yard" is defined as the area located behind the rear wall line of the primary structure. Note: Habitable space located in the attic areas of detached garages or other accessory buildings shall be included in the total square footage.
 4. All garages and other accessory buildings located within ten feet (10') of the primary building shall be considered attached and part of the primary building and the setback requirements applicable to the primary building shall apply.
 5. All garages and other accessory buildings located ten feet (10') or more away from the primary building may be located no less than three feet (3') from the side or rear property line, and no portion of any garage or accessory building, including any roof overhangs, shall be allowed within one foot (1') of any property line.
 6. No detached garage or other accessory buildings shall be located in any required front yard.

AFTER AMENDMENT

10.28.240 Limitations On Height, Size And Location Of Garages And Other Accessory Buildings In Residential Zones

In an effort to avoid the appearance of commercial style buildings in residential zones, and to protect the character and stability of residential neighborhoods, the following requirements for garages and other accessory buildings located in residential zones are provided:

A. Maximum Garage Height:

1. No detached garage shall be higher than twenty-five feet ~~(250')~~, measured from finish grade to the highest point of its roof, ~~or higher than the highest point of the roof of the primary building, whichever is less. Exception: Detached garages located a minimum of forty feet (40') from the primary building may be twenty-five feet (250') maximum height regardless of the height of the primary building.~~
2. No attached garage(s) shall be higher than the highest point of the primary building.

B. Number Of Garages: A maximum of ~~one~~ two attached and one detached garage may be allowed on each lot in association with a primary residential dwelling unit.

C. Maximum Accessory Building Height: No accessory building, with the exception of detached garages, including agricultural use accessory buildings, shall be higher than fifteen feet (15'), measured from average finished grade, unless a higher finished grade is required by the city for proper drainage, in which case, it will be measured from the finished grade.

D. Size, Location and Construction of Attached and Detached Garages and other Accessory Buildings in Residential Zones:

1. The total square footage of any attached garage(s) and non-living space shall not be greater than ~~one-hundred fifty percent (5100%)~~ of the square footage of the footprint of the primary structure, excluding the attached garage(s).
2. The total square footage of any detached garage or other accessory building, including agricultural use accessory buildings, shall not be greater than fifty percent (50%) of the ~~footprint square footage~~ square footage of the primary structure, including the attached garage(s). Note: ~~Habitable Bonus/loft~~ Habitable Bonus/loft space located in the attic areas of detached garages shall be included in the total square footage.
3. The cumulative total square footage of any attached garage(s), detached garage and all other accessory buildings, including agricultural use accessory buildings, shall not be greater than ~~twenty five fifty percent (2550%)~~ of the rear yard. For the purposes of this section, the "rear yard" is defined as the area located behind the rear wall line of the primary structure. Note: ~~Habitable Bonus/loft~~ Habitable Bonus/loft space located in the attic areas of detached garages or other accessory buildings shall be included in the total square footage.
4. All garages and other accessory buildings located within ten feet (10') of the primary building shall be considered attached and part of the primary building and the setback requirements applicable to the primary building shall apply. These shall architecturally blend with the primary residence and be of similar finish and color

~~5. All garages and other accessory buildings located ten feet (10') or more away from the primary building may be located no less than three feet (3') from the side or rear property line, and no portion of any garage or accessory building, including any roof overhangs, shall be allowed within one foot (1') of any property line.~~

6. No accessory buildings shall be located in any required front yard.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect from 6.5.2019 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Bass	_____	_____	_____	_____
Councilmember Edwardson	_____	_____	_____	_____
Councilmember McLaughlin	_____	_____	_____	_____
Councilmember Kopp	_____	_____	_____	_____
Mayor Lisonbee	_____	_____	_____	_____

Presiding Officer

Attest

Marty Lisonbee, Mayor, Apple Valley

Michelle Kinney, Town Recorder
Apple Valley

Item Attachment Documents:

8. Changes to the Town of Apple Valley Personnel Policies and Procedures Manual

**PERSONNEL POLICIES
AND PROCEDURES MANUAL
FOR THE
TOWN OF APPLE VALLEY**

Approved – June 5, 2019

Deleted: December 19, 2018

This document supersedes all personnel policies and procedures previously established or approved by the Town of Apple Valley.

PREFACE

It is the policy of the Town of Apple Valley to establish reasonable guidelines of conduct for management and employees to follow, and to ensure compliance with these guidelines through a program consistent with the best interests of the Town of Apple Valley and its employees. (The Town of Apple Valley shall heretofore be referred to as Apple Valley)

THIS MANUAL IS NOT, AND SHALL NOT BE CONSTRUED AS, AN EXPLICIT OR IMPLIED CONTRACT, SHALL NOT MODIFY ANY EXISTING AT-WILL STATUS OF ANY APPLE VALLEY EMPLOYEE, AND SHALL NOT CREATE ANY DUE PROCESS REQUIREMENT IN EXCESS OF FEDERAL OR STATE CONSTITUTIONAL OR STATUTORY REQUIREMENTS. The term “At-will” means employees can terminate or be terminated at will. Exceptions are employees having written contracts signed by the Mayor of Apple.

It is also the policy of Apple Valley to comply with Federal and State Equal Employment Opportunity guidelines. All employment decisions will be made without unlawful regard as to race, color, religion, sex, national origin, age or disability. To this end, Apple Valley will not engage in any unlawful discrimination against any employee or applicant for employment because of race, color, religion, sex, national origin, disability, age, or veteran’s status, and will ensure that applicants and employees are treated without unlawful regard to these characteristics.

Additionally, it is the policy of Apple Valley to strive for safety in all activities and operations, and to carry out the commitment of compliance with health and safety laws applicable to Apple Valley by enlisting the help of all employees to ensure that public and work areas are free of hazardous conditions.

Apple Valley reserves the right to change any of its policies and/or procedures at any time in the future for any reason. Therefore, if you have suggestions or comments concerning the content of this manual, please submit them, in writing, to Apple Valley’s Mayor for review. Thank you.

INTRODUCTION

Welcome,

Apple Valley's Personnel Policies and Procedures Manual is simply a written guide for management and staff. This manual not only outlines Apple Valley's policy on the various phases of the employer-employee relationship, it also indicates how policy is to be administered. Consequently, each employee is able to use this Manual as a guide when policy needs to be applied to a given situation.

As an employee of Apple Valley you will be expected to read, understand, and follow the policies and procedures contained in this manual.

Experience has shown that written policies promote consistency, continuity, and understanding within an organization. Written policies also aid in consistently achieving fair and equitable interpretation of policy. Employees always feel a deeper understanding of their role in the organization when they realize that policies are uniformly administered. Please be advised that it is the obligation of each employee of Apple Valley to conduct themselves in conformity with the principle of Equal Employment Opportunity at all times. All employment activities including, but not limited to, advertising, recruitment, hiring, promotion, demotion, transfer, disciplinary action, layoff, termination, compensation, and training, shall be conducted without unlawful regard to race, color, religion, sex, nation origin, age or disability.

And finally, no employee, officer, agent or other representative of Apple Valley has any authority to enter into any agreement for employment for any specified period of time or to make any agreement or representation, verbally or in writing, which alters, amends, or contradicts the provisions of this Personnel Policies and Procedures Manual.

Marty Lisonbee, Mayor

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SECTION I: EQUAL EMPLOYMENT OPPORTUNITY (EEO)

1. **GENERAL POLICY.** It is the policy of Apple Valley to comply with Equal Employment Opportunity standards in all phases of personnel administration: job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, etc, without unlawful regard to race, color, religion, sex, age, physical or mental disability, national origin or veteran status.
2. **SUPERVISOR RESPONSIBILITIES.** The Mayor, or designee, will ensure that Apple Valley is in compliance with all of the personnel policies and procedures in this manual, including all EEO standards. Additionally, the Mayor, or designee, will ensure that each employee receives a copy of this Personnel Policies and Procedures Manual and that the employee signs and dates a Policy Statement and Acknowledgment Form (see Sample # 1 for details) stating receipt of the manual. The Mayor, or designee, will then file the signed and dated Policy Statement and Acknowledgment Form in the employee's personnel file.
3. **EMPLOYEE RESPONSIBILITIES.** Employees are responsible for informing themselves about the policies, practices, and benefits set forth in Apple Valley's Personnel Policy and Procedures Manual by reading them and, if necessary, asking that they be explained to them. Additionally, all employees are required to sign and date a Policy Statement and Acknowledgment Form stating receipt of this manual.

SECTION II: PROTECTION FROM CONTRACTOR CAUSED LOSSES/LIABILITIES

1. **GENERAL POLICY.** Apple Valley will take all necessary precautions and steps in written contracts to prevent loss and liability arising from entering relationships with independent contractors using the Hold Harmless Agreement (see Sample # 2 for details), which is a part of the Indemnity Provision Contract, or the entire Indemnity Provision Contract (see Sample # 3 for details).
2. **SUPERVISOR RESPONSIBILITIES.**
 - A. To ensure that no work is performed by any private contractor until:
 - (1) A written contract between Apple Valley and the contractor has been entered into and signed by both parties.
 - (2) The signed written contract has been co-signed by the Town recorder.
 - B. Each contract with a private contractor should contain indemnity/hold harmless clauses which provide that:
 - (1) All contracts must contain indemnity and defense provisions in which the contractor assumes all liability arising out of work performed by the contractor or their officers, employees, agents, and volunteers.
 - (2) All contractors must provide evidence that they have acquired and maintain comprehensive general liability coverage, including liability insurance covering the contract concerned, prior to the execution of the contract.
 - (3) Apple Valley and its officials, employees, agents and volunteers must be named as Additional insured on the liability insurance policy.
 - C. Each contract with a private contractor should contain provisions that ensure the contractor is carrying workers, compensation insurance coverage.
 - (1) Apple Valley should require evidence of Workers Compensation insurance (or evidence of qualified self-insurance) from all contractors.
 - (2) Apple Valley should have the contractor show evidence of the contractor's Workers Compensation coverage to Apple Valley.

SECTION III: EMPLOYEE HIRING

1. EMPLOYMENT. Job Descriptions (see Sample # 4 for details) defining the essential functions of the vacant position shall be drafted and adopted before the vacancy is posted or otherwise advertised internally or externally.
2. RECRUITMENT. All recruitment shall be conducted in accordance with Apple Valley's equal opportunity guidelines.
 - A. Internal Promotions. It is Apple Valley's policy to give first consideration to current agency employees desiring to fill an open job position.
 - B. External Advertising.
 - (1) Only the Mayor, or designee, is authorized to place advertisements and respond to inquiries from employment agencies and/or job applicants.
 - (2) Each Job Opening Notice (see Sample # 5 for details) should contain a statement indicating that Apple Valley is an equal opportunity employer.
 - (3) Job Opening Notices may be advertised in the appropriate media, including the Department of Workforce Services should be utilized whenever possible, and through any other channels the Mayor deems appropriate, on at least three (3) separate days.
 - (4) All Job Opening Notices must specify the name and the office of the person from whom Job Applications are to be obtained, the name and office of the person to whom completed applications are to be returned, and the deadline for filing an application.
 - (5) Advertisements may state that job applicants residing in Apple Valley or the surrounding area will be given hiring preference.
3. SELECTION.
 - A. Nepotism. It is the policy of Apple Valley to comply with the provisions of Utah's Anti-Nepotism Act, Utah Code 52-3-1.
 - B. Employment of Minors. It is the policy of Apple Valley that no one under the age of fourteen (14) shall be hired for any position.
 - C. Job Applications. All interested job applicants shall complete a Job Application (see Sample # 6 for details).
 - (1) All applications and resumes received for the job opening will be forwarded to the Mayor, or designee. Upon receipt, each application and resume will be marked with the date it was received and placed in an

applicant's file for at least one (1) year.

- (2) Job applications shall be signed by the job applicant and the truth of all information contained therein shall be certified by the job applicant's signature. The job applicant shall provide a copy of required certified educational transcripts either with the application or upon hire.
- D. General Aptitude Test Battery (GATB). When necessary, job applicants may be required to take the GATB. If administration of the GATB is deemed necessary, it may be administered by the Department of Workforce Services.
- E. Other Tests. Job Applicants may be required to take other tests which Apple Valley deems necessary for a specific position. Job applicants for certain positions may require skills for which a known level of competence must exist such as mathematics or timed typing tests. When Apple Valley uses other ability tests, Apple Valley shall make reasonable accommodations for disabled applicants.
- F. Job Applicant Disqualification. An application may be rejected for, but not limited to, the following reasons. When the Job Applicant:
 - (1) Does not meet minimum qualifications established for the position.
 - (2) Is physically or mentally unable to perform the essential duties and responsibilities of the position with, or without, reasonable accommodation(s) (determined only after a conditional offer of employment, pending the results of a medical examination, has been extended to a job applicant).
 - (3) Has falsified a material fact or failed to complete the application.
 - (4) Has failed to timely file the application.
 - (5) Has an unsatisfactory employment history or poor work references.
 - (6) Has failed to attain a passing score, if an examination is required.
- G. Reference Checks. In order to facilitate references checks, written permission shall be obtained from the applicant using the Applicant's Consent to Release Information Form (see Sample # 9 for details). Apple Valley may contact the references for each job applicant and ask job-related questions, which include similar questions for each job applicant checked; using Telephone and Written Reference Check Questionnaires (see Samples # 10 and 11 for details).

4. PLACEMENT.

- A. Job Offers. After a job applicant is approved by Apple Valley, the Mayor shall notify the successful job applicant of their conditional selection through a written Job Offer Letter (see Sample # 12 for details). The written conditional Job Offer Letter shall clearly state the job description, salary conditions, and any provisional conditions of employment (i.e., successfully passing drug/alcohol tests). Additionally, the written conditional Job Offer Letter shall clearly state that the offer is not accepted until the candidate signs the written conditional Job Offer Letter and returns it to Apple Valley by the requested date. The original Job Offer Letter is then filed in the employee's file and a copy is given to the new employee during orientation. Written conditional Job Offer Letters should also include the following:
- (1) A clear statement of the job description.
 - (2) The employee's starting salary. Starting salary offers for exempt positions shall be figured for a specified period, such as a two (2) week period. Starting salary offers for non-exempt positions shall be figured at an hourly wage.
 - (3) The employee's job title.
 - (4) The employee's supervisor.
 - (5) Any relocation commitments, if applicable.
 - (6) Apple Valley at-will employment policy.
 - (7) The employee's starting date.
 - (8) The length of the employee's probationary period.
 - (9) Notice that employment is contingent upon passing a background examination, drug tests, medical/physical examinations, etc.
- B. Job Rejection Letters. Within five (5) working days after the job offer has been accepted, non-selected job applicants may be notified. The Mayor, or designee, may send a Job Rejection Letter (see Sample # 13 for details) to each job applicant who was not selected for a job opening.
- C. Medical Examinations. Once Apple Valley has extended a conditional job offer to the job applicant, a medical interview or examination may be conducted by a health professional chosen by Apple Valley to determine a job applicant's ability to fulfill essential job related requirements. Only the Mayor may authorize such interviews or physical examinations. All costs for required medical interviews or physical examinations will be borne by Apple Valley. The prospective employee must sign a written release of this information to Apple Valley.

- D. Reinstatements. Employees who are reinstated into Apple Valley may maintain their original anniversary date for seniority purposes as well as for those benefit programs governed by the anniversary date. The policy will be as follows:
- (1) Layoffs. Employees who terminate because of reduction in work force will maintain their original anniversary date for seniority purposes if they are re-employed by Apple Valley within one (1) year after date of termination.
 - (2) Voluntary resignations. Employees who voluntarily terminate their employment with Apple Valley may maintain their original anniversary date, subject to Mayor and/or Town Council approval, if they are re-employed by Apple Valley within six months after date of termination.
- E. Hiring New Employees.
- (1) Required for All Employees: The Mayor, or designee, is responsible for having new employees fill out all pre-employment forms, benefit applications, enrollment forms and providing basic information on Apple Valley's policies concerning pay, vacation, holidays, and sick leave, benefits, parking and work hours during the employee's first day of work.
- F. Orientation. Newly hired Apple Valley employees shall complete all required paperwork and receive an orientation on their first (1st) day of work.
- (1) In accordance with the Immigration Reform and Control Act of 1986, all new employees shall provide proof of identity and employment status by completing an Employment Eligibility Verification Form (see Sample # 15 for details). The employee must sign under penalty of perjury that they are a U.S. citizen, a lawful permanent resident alien, or an alien otherwise authorized for U.S. employment.
 - (2) All new employees shall complete and sign a Form W-4 Federal Withholding Statement (see Sample # 16 for details).
 - (3) All new employees should be given a tour of the work place with a brief overview of company rules and benefits. The employee should complete a New Employee Orientation Form (see Sample Number # 17 for details), that's been modified to meet the particular needs of Apple Valley.
- G. Probationary Period.
- (1) All new employees shall be subject to a 180 day probationary period. During this period, probationary employees may be terminated with or without notice for any or no reason without any right to due process, notice, explanation, or appeal in connection with said termination.

- (2) Probationary periods begin on the first day of employment and continue for 180 days. Management will provide guidance to probationary employees so they understand work requirements.
- (3) An employee on probation shall have a performance evaluation at the end of the probationary period. This performance evaluation may be used to provide information to both the employee and management regarding the employee's performance. Management reserves the right to extend the initial probationary period for an additional 180 days on the basis of this performance evaluation. A performance evaluation and the results of such evaluation shall not obligate management to a particular course of action relative to the probationary employee nor shall it create any property/ due process rights for the probationary employee relative to their job/position.

5. VOLUNTEERS.

- A. Court Ordered Community Service Volunteer Labor may be authorized at the discretion of the Mayor. Background checks may be required.
- B. The Mayor, with approval of the Town Council, may establish volunteer programs.
- C. The Mayor shall develop guidelines for use of volunteers.
- D. Prior to accepting any volunteer services, the Mayor and the volunteer shall sign a Memorandum of Understanding Agreement defining the nature and terms of the volunteer services.
- E. A volunteer shall be provided the protections as an employee of Apple Valley for:
 - (1) Workers compensation benefits for compensable injuries sustained by the volunteer while acting in the scope of employment.
 - (2) Operating Apple Valley owned vehicles or equipment when the volunteer is properly licensed to do so.
 - (3) Liability insurance coverage offered employees.
- F. Volunteer service experience will be recognized for determining minimum qualifications for an employment position with Apple Valley.

SECTION IV: ALCOHOL AND DRUG FREE WORKPLACE

1. GENERAL POLICY. The purpose of this policy is to implement the Federal Drug Free Workplace Act of 1988 by providing for a safe and productive work environment that is free from impaired performance caused by employee use or abuse of alcohol, controlled substances, and/or medication.
2. EMPLOYEE RESPONSIBILITIES.
 - A. No employee shall unlawfully manufacture, dispense, possess, use, or distribute any controlled substance, medication, or alcohol.
 - B. Any employee convicted under a federal or state statute regulating controlled substances shall notify their supervisor and the Mayor within five days after the conviction.
 - C. No employee shall consume alcoholic beverages immediately before work, during work hours, or while at work during breaks or lunches.
 - D. No employee shall be impaired by alcohol, illegal drugs, or medication during work hours.
 - E. No employee shall represent Apple Valley in an official capacity while impaired by alcohol, illegal drugs, or medication.
 - F. No employee using medication that may impair performance shall operate a motor vehicle or engage in safety sensitive functions while on duty for Apple Valley.
 - G. If an employee is using prescription or non-prescription medication that may impair performance of duties, the employee shall report that fact to their supervisor.
 - H. An employee who has reason to believe that the performance of another employee is impaired by alcohol, illegal drugs, and/or medication shall immediately notify the Mayor, or designee.
3. DISCIPLINARY ACTION. Because of the serious nature of illegal use or abuse of alcohol, controlled substances, and/or medication, appropriate employee disciplinary action will be taken, up to and including termination.

SECTION V: SEXUAL/GENDER HARASSMENT

1. GENERAL POLICY. It is the policy of Apple Valley that:
 - A. The giving or withholding of tangible job benefits based on the granting of sexual favors (Quid Pro Quo) and any behavior or conduct of a sexual/gender based nature which is demeaning, ridiculing or derisive and results in a hostile abusive or unwelcome work environment constitutes sexual harassment.
 - B. Unlawful discrimination/harassment of employees of any type, on or off duty, based on sex/gender, subtle or otherwise, shall not be tolerated and violators will be subject to disciplinary action up to and including termination.
 - C. Retaliation or reprisals are prohibited against any employee who opposes a forbidden practice, has filed a charge, testified, assisted or participated in any manner in an investigative proceeding or hearing under this policy.
 - D. False or bad faith claims regarding sexual or gender harassment shall result in disciplinary action, up to and including termination, against the accuser.
 - E. Employees accused of sexual harassment and facing disciplinary action shall be entitled to receive notice of charges, the evidence to be used against them, and an opportunity to respond before any disciplinary action may be taken.
 - F. Records and proceedings of sexual harassment claims, investigations, or resolutions are confidential and shall be maintained separate and apart from the employee's personnel file.
 - G. All employees, supervisors and management personnel shall receive training on the sexual/gender harassment policy and grievance procedures during orientation and in-service training.

SECTION VI: EMPLOYEE CODE OF CONDUCT

1. **PROFESSIONALISM.** Apple Valley is a professional association whose purpose, among others, is to provide professional services to its citizens. Its employees must adhere to high standards of public service that emphasize professionalism and courtesy. Employees are required to carry out efficiently the work items assigned at their responsibility, to maintain good moral conduct, and to do their part in maintaining good relationships with their supervisors and fellow employees, the public, and other member employees and officials.
2. **PRIVILEGED INFORMATION.** Apple Valley employees involved with information of significant public interest may not use this privileged information for personal gain, nor to benefit friends or acquaintances. If an employee has an outside interest which could be affected by any Apple Valley plan or activity, this situation must be reported to the Mayor immediately. Each employee is charged with the responsibility of ensuring only information that should be made available to the general public is released as defined in the Government Records Access and management Act.
3. **CONFIDENTIALITY.** Fellow employees have an unquestionable right to expect all personal information about themselves, their illness, their family and financial circumstances to be kept confidential. Every employee has an obligation to protect this confidence. Never discuss privileged information with others who are not authorized to receive it, either inside or outside the office.
4. **GIFTS AND GRATUITIES.** Apple Valley employees are prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loan or item of monetary value from any person seeking to obtain business with Apple Valley, or from any person within or outside Apple Valley employment whose interests may be affected by the employee's performance or nonperformance of official duties. Apple Valley employees will not accept gifts or gratuities except under circumstances allowed by the Utah Employee Ethics Act 67-16.
5. **ATTENDANCE.** Regular attendance and punctuality are essential to providing high quality work, service to customers, and to avoid extra work for fellow employees. Therefore, when the employee is going to be late or will not be able to report to work, the employee must notify their supervisor prior to the scheduled work time. If the employee is ill or has an emergency, they should notify their supervisor as soon as possible on each day of absence.
6. **APPEARANCE.** Apple Valley reserves the right to expect its employees to present a favorable impression during any contact with the public. All employees are expected to maintain a neat and clean personal appearance. Standards of dress shall be appropriate to the job and the tasks to be accomplished.

7. SMOKING. In compliance with the Utah Indoor Clean Air Act, smoking is not permitted in Apple Valley facilities or on the grounds surrounding said facilities. Apple Valley also prohibits smoking in Apple Valley owned vehicles.
8. PERSONAL USE OF APPLE VALLEY OFFICE ITEMS.
 - A. Computer Equipment.
 - (1) Personal use of Apple Valley owned computer systems is permitted only when all of the following criteria are met.
 - (a) The use offers an opportunity for the employee to increase the employee's job-related knowledge and skills.
 - (b) The employee is not compensated for the work performed, unless the employee has received prior written approval by the Mayor, or designee.
 - (c) The employee pays for the cost of consumables and other attendant expenses (diskettes, paper, computer on-line/access charges, etc.).
 - (d) The employee uses the computer system after hours, or on the employee's personal time.
 - (e) The employee does not use the computer system for permanent storage of data.
 - (f) Use does not conflict with the employee's Apple Valley responsibilities or normal Apple Valley business.
 - (g) The use has been approved by the Mayor, or designee.
 - (2) All data stored on, and software developed on, Apple Valley owned computer equipment is the property of Apple Valley and may be viewed/reviewed by the Mayor, or designee, at any time.
 - (3) No pornography or sexually explicit material shall be accessed, stored, or viewed/reviewed on Apple Valley owned computer equipment.
 - B. Postage Meters. No employee shall be allowed to use Apple Valley owned postage metering machines at any time for posting and mailing of any material of a personal nature.

- C. FAX and Copying Machines. Any employee desiring to use Apple Valley owned FAX or copying machines for items of a personal nature may do so after paying for such use at the employee rate which is in effect at the time of use.
- D. Telephone calls.
 - (1) Employees are expressly prohibited from making long distance telephone calls of a personal nature on Apple Valley owned telephones.
 - (2) All employees will use Apple Valley owned telephones for local personal calls judiciously. Local telephone calls will be limited to necessity and must not disrupt the carrying out of employee responsibilities.
- 9. PURCHASING. When procurement involves the expenditure of federal assistance funds, Apple Valley shall comply with all applicable federal laws and regulations, state laws, and Town ordinances and resolutions. For all purchases please refer to current purchasing policies.
- 10. TIME CARDS
 - A. All employees of Apple Valley are required to maintain an accurate and legible record of all their hours worked for Apple Valley on time sheets/cards.
 - B. Time sheets/cards will be signed and dated by the employee, and forwarded to the Mayor, or designee, as directed for review and payment.
- 11. CREDIT CARDS. Apple Valley credit cards shall be used for official business only, and shall not be used for the personal convenience of an employee.
- 12. OUTSIDE ACTIVITIES. Apple Valley employees shall not use Apple Valley owned property in support of outside interests and activities when such use would compromise the integrity of Apple Valley or interfere with the employee's duties. Specifically, an employee who is involved in an outside activity such as a civic organization, church organization, committee unrelated to Apple Valley business, public office, or service club, shall:
 - A. Pursue the outside activity on the employee's own time.
 - B. Pursue the outside activity away from Apple Valley offices.
 - C. Discourage any phone, mail or visitor contact related to the outside interest at Apple Valley offices.

- D. Arrange for annual leave or compensatory time off in advance to pursue the outside interest during business hours.
- E. Except as provided in paragraph 8, not use data processing equipment, postage metering machines, copiers, other Apple Valley owned equipment or supplies for the outside interest.

13. POLITICAL ACTIVITY.

- A. An employee shall not be coerced to support a political activity, whether funds or time are involved.
- B. An employee shall not engage in political activity during work hours, unless on approved leave.
- C. An employee shall not use Apple Valley owned equipment, supplies or resources, and other attendant expenses (diskettes, paper, computer online and access charges, etc.) When engaged in political activity.
- D. An employee shall not use, discriminate in favor of or against, any person or applicant for employment based on political activities.
- E. An employee shall not use the employee's title or position while engaging in political activity.

14. SECONDARY EMPLOYMENT.

- A. Apple Valley employment is primary.
 - (1) Employment with Apple Valley shall be the employee's primary employment. Apple Valley employees are permitted to engage in secondary or outside employment under the following guidelines. Outside employment must not be of a type that would reasonable give rise to criticism or suspicion of conflicting interests or duties.
 - (2) Employees are required to provide written notification to the Mayor, or designee, using the Employee's Notice of Secondary Employment (see Sample # 19 for details) before starting any secondary or outside employment. This notification should include the following information:
 - (a) The employer's name, business name, and business address.

- (b) A general overview of the type of business engaged in by the secondary employer.
- (c) The specific duties engaged in by the employee at their secondary employment.

B. Apple Valley's approval process.

- (1) The Mayor, or designee, shall review the information contained in the Employee's Notice of Secondary Employment and determine whether the employee's secondary employment is approved or denied. Factors to consider include, but are not limited to, the following:
 - (a) That the secondary employment reasonably articulates some factor or factors which could negatively impact their employment with Apple Valley. For example, that the secondary employment could reasonably be expected to be too physically or mentally draining on the employee.
 - (b) That the secondary employment could invoke a conflict of interest with their employment with Apple Valley.
 - (c) That the secondary employment is immoral or unethical.
- (2) This decision shall be communicated in writing to the employee, using the same Employee's Notice of Secondary Employment. The employee:
 - (a) Shall abide by that decision.
 - (b) May appeal the decision to the Town Council, whose decision shall be final.
 - (c) May voluntarily resign their employment with Apple Valley.

SECTION VII: DISCIPLINARY ACTION

1. GENERAL POLICY.

- A. It is the policy of the Apple Valley that management will inform its employees about what is expected at work, what constitutes employee misconduct, and what the employee's rights are, if disciplined.
- B. It is the responsibility of all employees to observe rules of conduct necessary for the proper operation of Apple Valley government. Administrative procedures have been established for the handling of disciplinary measures when required. All such measures shall follow the presentation of charges to the employee.
- C. Disciplinary action, up to and including termination, may be imposed for misconduct.
- D. Written documentation concerning employee disciplinary action imposed will become a permanent part of an employee's Personnel Record.

2. TYPES OF DISCIPLINARY ACTION.

- A. Verbal Warning.
 - (1) Whenever grounds for disciplinary action exist, and the Mayor, or designee, determines that more severe action is not immediately necessary, the deficiency demonstrated should be verbally communicated to the employee.
 - (2) Whenever possible, sufficient time for improvement should precede additional disciplinary action.
- B. Written Reprimand.
 - (1) The Mayor, or designee, may reprimand an employee. The Mayor, or designee, shall furnish the employee with an Employee Written Reprimand Notification (see Sample # 20 for details) setting forth the reason(s).
 - (2) A copy of the Employee Written Reprimand Notification, signed by the Mayor and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Mayor, or designee, will so state.

C. Suspension.

- (1) The Mayor, or designee, may suspend an employee with or without pay for up to, but not exceeding, thirty (30) calendar days for cause.
- (2) When suspending an employee, the Mayor, or designee, shall follow the due process proceedings hereinafter set forth in paragraph 5 of this section, entitled, Imposing Disciplinary Action.
- (3) On or before the effective date of the suspension, the Mayor, or designee, shall furnish the employee with a written Employee Suspension Notification (see Sample # 21 for details) setting forth the reason(s) for suspension.
- (4) A copy of the Employee Suspension Notification, signed by the Mayor, or designee, and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Mayor, or designee, will so state.

D. Demotion.

- (1) The Mayor, or designee, may demote, or reduce in grade, and employee for cause or provide for reasonable accommodation in appropriate circumstances.
- (2) When demoting an employee, the Mayor, or designee, shall follow the due process proceedings hereinafter set forth in paragraph 5 of this section, entitled, Imposing Disciplinary Action.
- (3) On or before the effective date of the demotion, the Mayor, or designee, shall furnish the employee with a written Employee Demotion Notification (see Sample # 22 for details) setting forth the reason(s) for demotion.
- (4) A copy of the Employee Demotion Notification, signed by the Mayor, or designee, and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Mayor, or designee, will so state.

E. Transfer.

Deleted: (5) →An employee on suspension shall be responsible for making full employee contributions to their employee medical insurance benefits.

- (1) The Mayor, or designee, may transfer an employee (with the exception of a probationary employee) by furnishing the employee with a written Employee Transfer Notification (see Sample # 23 for details).
- (2) A copy of the Employee Transfer Notification, signed by the Mayor, or designee, and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Mayor, or designee, will so state.

F. Termination.

- (1) The Mayor, or designee, may terminate an employee for cause.
- (2) When terminating an employee for cause, the Mayor, or designee, shall follow the due process proceedings hereinafter set forth in paragraph 5 of this section, entitled, Imposing Disciplinary Action.
- (3) On or before the effective date of the termination for cause, the Mayor, or designee, shall furnish the employee with a written Employee Termination Notification (see Sample # 24 for details) setting forth the reason(s) for termination.
- (4) A copy of the Employee Termination Notification, signed by the Mayor, or designee, and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Mayor, or designee, will so state.

3. CAUSES FOR DISCIPLINARY ACTION.

A. Causes for disciplinary action, up to and including termination, may include, but are not limited to, the following:

- (1) Violation of the laws of the State of Utah or the United States, other than minor traffic offenses.
- (2) Violation of the code of personal conduct.
- (3) Conduct which endangers the peace and safety of others or poses a threat to the public interest.
- (4) Unjustified interference with work of other Apple Valley employees.

- (5) Misconduct.
- (6) Malfeasance.
- (7) Misfeasance.
- (8) Nonfeasance.
- (9) Incompetence.
- (10) Negligence.
- (11) Insubordination.
- (12) Failure to maintain skills.
- (13) Inadequate performance of duties.
- (14) Unauthorized absence or tardiness.
- (15) Falsification or unauthorized alteration of records.
- (16) Violation of Apple Valley policies.
- (17) Falsification of employment application.
- (18) Discrimination in hiring, assignment, or promotion.
- (19) Sexual harassment.
- (20) Violation of the Personnel Policies and Procedures.
- (21) Use of alcohol or drugs, other than medication prescribed by a physician, that affect job performance.
- (22) Falsifying Apple Valley Records.
- (23) Knowingly marking the time slip of another employee, authorizing one's time slip to be marked by another employee, unauthorized alteration of a time slip.
- (24) Unauthorized possession of firearms, weapons, or explosives on Apple

Valley owned property, with the obvious exception of police officers.

- (25) Carelessness which affects the safety of personnel.
- (26) Threatening, intimidating, coercing, or interfering with fellow employees on the job, or the public at large.
- (27) Theft or removal of any Apple Valley property or the property of any employee from the work area premises without proper authorization.
- (28) Gambling or engaging in a lottery at any Apple Valley work area.
- (29) Misusing, destroying, or damaging any Apple Valley property or the property of any employee.
- (30) Deliberately restricting work output of themselves or others.
- (31) Drinking any alcoholic beverage during the workday, or being under the influence of illicit drugs or alcohol during the workday.
- (32) Sleeping during working hours, with the obvious exception of firefighter employees.
- (33) Fighting (verbal or physical) on Apple Valley premises, or while on Town business, or in a Town uniform.
- (34) Any act which might endanger the safety or lives of others.

SECTION VIII: TERMINATION OF EMPLOYMENT

1. **TYPES OF TERMINATION.** Any involuntary termination or termination of any employee who is allowed to resign, in lieu of an involuntary termination, should be reviewed with legal counsel before termination is pursued or a resignation is accepted to ensure the employee's due process property rights are not violated.
 - A. **Retirement.** Voluntary termination at the end of an employee's career.
 - B. **Voluntary Resignation.** When an employee wishes to leave Apple Valley, they will complete a Notice of Voluntary Resignation Form (see Sample # 26 for details) and present it to the Mayor, or designee.
 - C. **Resignation, in Lieu of an Involuntary Termination, Agreement.** The Mayor, or designee, may conclude that an employee should be involuntarily terminated for no reason (for probationary employees and Department Heads) or for cause. If Involuntary Termination proceedings have begun, but have not been completed and an employee suggests that they would like to voluntarily resign, the Mayor may agree to a Resignation In Lieu Of an Involuntary Termination Agreement (see Sample # 27 for details).
 - D. **Involuntary Termination.** The Mayor, or designee, may conclude that an employee should be involuntarily terminated for no reason (for probationary employees and Department Heads) or for cause.
 - E. **Reductions in Force/Layoffs.** Whenever it is necessary to reduce the number of employees in Apple Valley because of lack of work or lack of funds, Apple Valley may attempt to minimize layoffs by readjustment of personnel through reassignment of duties in other work areas.
 - F. **Medical.** The American's with Disabilities Act (ADA) prohibits illegal discrimination by an employer against an otherwise qualified individual with a disability. Consequently, an employee should not be terminated for medical reasons without prior consultation with legal counsel.
 - G. **Death.** If an employee of Apple Valley dies, their estate receives all pay due and any earned and payable benefits (such as payment for compensation time, annual leave, and/ or sick leave) as of the date of death.

2. REQUIRED NOTICE PRIOR TO TERMINATION.

- A. All employees, including at-will employees, must notify Apple Valley at least two (2) weeks before retiring or voluntarily resigning to be eligible:
 - (1) To receive pay for unused, accrued vacation leave (if applicable).
 - (2) To receive pay for vested sick leave (if applicable).
 - (3) For rehire.
- B. Apple Valley does not have a requirement to give any prior notice to an employee before terminating their employment with Apple Valley.
- C. Unused, accrued vacation leave (if applicable) and vested sick leave (if applicable) will always be paid for terminations of employment involving Reductions in Force/Layoffs, Medical Reasons, and Deaths.

3. TERMINATION PROCEDURES.

- A. A Notice of Voluntary Resignation Form, signed by the employee and the Mayor, or designee, may be utilized in Voluntary Resignations.
- B. Involuntary Terminations/Separations for Cause require Apple Valley to provide their terminating employees with written notification of due process. At-Will Involuntary Terminations (for probationary employees and department heads) do not require Apple Valley to provide their terminating employees with written notification of due process.
- C. A Resignation in Lieu of an Involuntary Termination Agreement, signed by the employee and the Mayor, or designee, may be utilized in negotiated terminations. A Resignation in Lieu of an Involuntary Termination Agreement does not require Apple Valley to provide their terminating employees with written notification of due process.
- D. The following steps should be taken for Voluntary Retirements:
 - (1) Employees who desire retirement should notify Apple Valley three (3) months in advance.
 - (2) Apple Valley should communicate the status of each employee's retirement benefits. Upon request for retirement benefits, Apple Valley should notify the administrator of the retirement program and the

appropriate state and federal regulatory agencies.

- (3) Apple Valley should carefully explain to the employee what the options are (such as Cobra and Retirement Plan Options).
- (4) Apple Valley should give the employee ample time to review the retirement plan.
- (5) Apple Valley should have the employee sign a release, or at least a declaration statement, to the effect that they are electing retirement of their own free will.

E. The following steps should be taken for Reductions in Force/Layoffs:

- (1) Determine whether Apple Valley is required to follow statutory guidelines related to the reduction in force/layoff. If Apple Valley is required to follow statutory guidelines; policy, procedure and actual practice must comply with said guidelines.
- (2) If Apple Valley is facing a possible reduction in labor force, Apple Valley should explain the situation to its employees, advising them of the possibility that reductions in force/ layoffs may become an economic necessity for Apple Valley.
- (3) In the selection of employees for Apple Valley's reduction in force/layoff, the following guidelines should be considered:
 - (a) Selection should be based upon the employee's ability to perform the work assignments within the affected department.
 - (b) Seniority should govern the selection when ability is equal.
 - (c) Emergency, temporary, and probationary employees should be laid off first.
 - (d) Permanent employees should be the last to be laid off, when possible, in inverse order of their length of service.
 - (e) Before any reduction in force/layoff, Apple Valley should determine whether it is subject to the requirements of the Worker Adjustment and Retraining Notification Act, 29 U.S.C. 2101, et seq.
 - (f) Apple Valley should carefully explain to the employee what the

options are (such as Cobra and Retirement Plan Options).

- (g) If Apple Valley cannot give advanced notice of a reduction in force/layoff to the employee, two weeks severance pay may be given in lieu of notice for a bona fide reduction in force/layoff.
- (4) Written reductions in force/layoffs notices should contain the following information:
 - (a) Statement that separation from employment is based on reduction in force/layoff.
 - (b) Anticipated date of layoff.
 - (c) Any options regarding employee placement in another position.
- F. Outstanding Pay.
 - (1) Arrange for distribution of any paychecks which may be due the employee, including pay for any hours worked but not paid; pay for unused, accrued vacation leave (if applicable); or pay for vested sick leave (if applicable).
 - (2) Under Utah State law, the required timing of the final payment at termination is:
 - (a) A Voluntary Resignation. Within one (1) workday of effective resignation date.
 - (b) An Involuntary Termination/Separation for Cause. Within one (1) workday of last day worked.
- G. The terminating employee will return any supplies or equipment, which are the property of Apple Valley, to Apple Valley at termination.
- H. All terminating employees should complete an Exit Interview Form (see Sample # 28 for details) with the Mayor, or designee. The Exit Interview Form should be signed by the employee and the Mayor, or designee.

SECTION IX: RECORD KEEPING

1. GENERAL POLICY. Federal law requires employers to keep detailed data about their employees.
2. CONFIDENTIALITY. Employee records are maintained in compliance with the law.
 - A. Confidentiality must be maintained at all times with access limited to employees and their supervisory chain.
 - B. Apple Valley's policy is that only relevant, job-related information is maintained on its employees, that such information is held in strict confidence, and that access is limited only to those who require it for legitimate business reasons.
 - C. Employees have the opportunity to review their own files in the presence of the Mayor, or designee, on Apple Valley premises during regular business hours.
3. PERSONNEL FILES REQUIREMENTS.
 - A. General.
 - (1) Personnel files are maintained on each employee and kept by the Mayor, or designee. The record copy (original) of all appropriate personnel information, as set forth hereafter, related to an employee shall be filed in the employee's personnel file.
 - (2) No information from any record placed in an employee's personnel file will be communicated to any person or organization except by the Mayor, or designee.
 - (3) Employees, or their representative designated in writing, may examine the employee's personnel file upon request during normal working hours at Apple Valley. When a Supervisor requires access to the personnel file of an employee under their supervision for the handling of personnel matters, the supervisor must obtain authorization from the Mayor, or designee.
 - B. Contents.
 - (1) An employment record; including the employee's job application, resume, interview forms, Employment Eligibility Verification (Form I-9), Employee's Withholding Allowance Certificate (Form W-4), etc.
 - (2) A signed copy of the employee's acknowledgment of receiving a copy of

the personnel policies and procedures manual; and the performance standard for the position the employee currently occupies.

- (3) Election form to disclose or keep confidential, the employee's home address and home telephone number.
 - (4) All personnel action forms, including:
 - (a) Performance evaluations.
 - (b) Promotions or transfers.
 - (c) Salary rate changes.
 - (d) Disciplinary action taken. The employee will be asked to sign the disciplinary action form. If the employee refuses to sign this form; the Mayor, or designee, will so state.
 - (5) Any information the employee wants included in response to any of the above actions.
 - (6) Records of citations for excellence or awards for good performance.
 - (7) Annual records of any leave accrued and taken. Official records of vacation and sick leave accrual and of leave usage are kept for employees by the Mayor, or designee. Leave balances are shown on the official record to reflect any remaining leave to which an employee is entitled. Employees may check with the Mayor, or designee, to obtain information regarding their current leave usage.
 - (8) Record of any other pertinent information having a bearing on the employee's status.
- C. Employee Information/Change of Employee Status. Employees are responsible for ensuring that personal employee information contained in their personnel files is current and accurate. Employee information (any change in number of dependents, marital status, address, telephone number, etc.) should be updated by completing an Employee Information/Change of Status Form (see Sample # 30 for details) and giving it to the Mayor, or designee, to file in their personnel file.
- D. Giving References. Apple Valley limits information given in a reference to the following.

- (1) Verification that the employee worked, full-time or part-time, for Apple Valley during a stated period.
 - (2) A description of the position held.
 - (3) Verification that the employee achieved a given salary range.
- 4. OTHER FILES REQUIREMENTS. Records related to the items listed below should be kept for a period of at least one (1) year. In addition, records should be examined annually to keep the files current and to save those records that management feels should be kept longer.
 - A. Job applications.
 - B. Test papers completed by job applicants or candidates for any position.
 - C. Results of any pre-employment physical exam and mobility exams should be kept for a period of at least four (4) years.
 - D. Any advertisements or notices relating to job openings, promotions, training programs, or opportunities for overtime work.
 - E. Records of promotion, demotion, transfer, selection for training, layoff, rehire, or termination of any employee. These should also be signed by the employee.
- 5. SALARY/WAGE REQUIREMENTS. The Federal Labor Standards Act (FLSA) requires Apple Valley to keep all of the following data on all employees for a period of at least three (3) years.
 - A. Employee's sex.
 - B. Time and day work week begins.
 - C. Hours worked each day and total hours worked each week.
 - D. Total daily or weekly straight-time earnings.
 - E. Total additions to, or deductions from, wages paid each pay period, including an explanation of items that make up additions and deductions.
 - F. Date of payment and pay period covered.
 - G. Total overtime above regular compensation for work week.

6. OTHER REQUIREMENTS. There are record keeping requirements under other federal and state laws over which the personnel record keeping function has jurisdiction:
- A. Occupational Safety and Health Act (OSHA) record of injuries.
 - B. Employee Retirement Income Security Act (ERISA) record of pensions.
 - C. The Immigration Reform and Control Act (IRCA) of 1986 requires verification of status forms to be kept for three (3) years after the person is hired or for one (1) year after employment is terminated, whichever is later.

SECTION X: PERFORMANCE EVALUATIONS

1. GENERAL POLICY.

1. Performance evaluations will consist of a review between the supervisor and the employee using Apple Valley's Performance Evaluation Form (see Sample # 31 for details).
- B. It is the policy of Apple Valley that employee evaluations be conducted in a manner which will ensure fair treatment and an objective evaluation of employee performance.
- C. Goal setting is critical for the development of performance plans and standards. Goals define in broad terms the underlying purpose of a given activity or set of activities.
- D. Objectives specify what should be achieved during an employee's employment with Apple Valley.
- E. There are certain fundamental principles which govern the establishment of goals, objectives, and performance standards.
 - (1) Participatory Goal Setting. In setting goals and objectives of employees, the supervisors should seek to involve employees in the process.
 - (2) Outline Results to be Achieved. There should be room for flexibility. The supervisor should discuss with the employee how much will be done, when it needs to be completed, and what resources will be required.
 - (3) Relate to Organizational Objectives and Goals. In the process of initially formulating performance plans, each employee should be provided with the larger picture and how their work contributes to the organization. This is the responsibility of each supervisor.
 - (4) Define Objectives. Objectives must be clearly defined and understood by both employees and their supervisors. There must be clear agreement on resources to be made available, periodic reviews and other related control activities.
 - (5) Give Support. Employees should understand that they will be fully supported by their supervisors in pursuing the achievement of the mutually agreed upon objectives and standards.

2. PERFORMANCE PERIODS.

A. Probationary employees.

- (1) Employees on probation shall have performance evaluations following the end of their probationary period.
- (2) The performance evaluations may be used to provide information to both the employee and management regarding the employee's performance.
- (3) Probationary employees should understand that their performance evaluations and the results of such evaluations shall not obligate Apple Valley to a particular course of action relative to probationary employees, nor shall it create any property/due process rights for probationary employees relative to their jobs/positions.

B. Permanent employees.

- (1) Performance evaluations will be completed annually on the employee's anniversary date. An employee's anniversary date is defined as their first (1st) day on the job with Apple Valley.
- (2) Although a salary adjustment never automatically follows a performance evaluation, the performance evaluation will be included as a component of any future compensation increase.

3. CONFIDENTIALITY.

- A. Completed performance evaluations shall permanently remain in the employee's personnel file and become a part of the private information of that file.
- B. Performance evaluations may be used in decisions concerning advancement, future training needs, performance related salary adjustments and contested disciplinary actions.

SECTION XI: EMPLOYMENT CLASSIFICATIONS/COMPENSATION

1. GENERAL POLICY. Apple Valley will pay at least minimum wages and overtime to all employees except those who are specifically exempt from minimum wage and overtime under the Fair Labor Standards Act (FLSA) of 1938. Apple Valley will also provide equal pay to all employees doing similar work which requires substantially equal skill, effort, and responsibility and are performed under similar working conditions in accordance with the Fair Labor Standards Act of 1938 and the Equal Pay Act of 1963.
2. EMPLOYMENT CLASSIFICATIONS. There are four classifications of employees within Apple Valley:
 - A. Full-time. An employee hired for an indefinite period in a position for which the normal work schedule is Thirty (30) hours per week or more. Full-time employees may or may not qualify for specific Apple Valley benefits.
 - B. Part-time. An employee hired for an indefinite period in a position for which the normal work schedule is less than Thirty (30) hours per week. Part-time employees may or may not qualify for specific Apple Valley benefits.
 - C. Temporary. An employee hired for a position which is required for only a specific, known duration, usually less than six (6) months. Temporary employees do not qualify for Apple Valley benefits.
 - D. Seasonal. An employee hired for a position which is required only for the summer or winter months. Summer or winter only employees do not qualify for Apple Valley benefits.
3. EMPLOYMENT STATUS. To facilitate provisions of the Fair Labor Standards Act, employees shall also be classified as either exempt or nonexempt, with respect to eligibility for overtime payment. They shall be defined as:
 - A. Exempt. Positions of a managerial, administrative, or professional nature, as prescribed by Federal and State Labor Statutes shall be exempt from minimum wage and mandatory overtime payment regulations.
 - B. Nonexempt. Positions of a clerical, technical, or service nature, as defined by Federal and State Labor Statutes, which are covered by provisions for minimum wage and mandatory overtime payment regulations.

4. WORK WEEK.
 - A. Begins on Sunday morning at 12:00 a.m. (midnight).
 - B. Ends on Saturday evening at 12:00 a.m. (midnight).
 - C. Employees engaged in public safety activities, such as Law Enforcement and Fire Protection Departments: As directed by the Mayor, or designee.
5. WORK DAYS.
 - A. Full Time: Monday - Friday.
 - B. Part Time: As directed by the Mayor, or designee.
 - C. Employees engaged in public safety activities, such as Law Enforcement and Fire Protection Departments: As directed by the Mayor, or designee.
6. WORK HOURS.
 - A. Full Time: 8:00 a.m. - 12:00 noon/1:00 p.m. - 5:00 p.m.
 - B. Part Time: As directed by the Mayor or designee.
 - C. Employees engaged in public safety activities, such as Law Enforcement and Fire Protection Departments: As directed by the Mayor, or designee.
7. ATTENDANCE. Employees shall be in attendance at their work stations during normal working hours.
8. BREAKS AND LUNCH PERIODS.
 - A. Full-time:
 - (1) Breaks: Two (2) optional fifteen (15) minute paid breaks during a standard work day. Breaks can not be used to extend the lunch period or shorten an employee's work hours.
 - (2) Lunch: One (1) hour unpaid lunch period during a standard work day.
 - B. Part-time: As directed by the Mayor, or designee.
 - C. Employee breaks and lunch periods will be taken at the discretion of the Mayor, or their supervisor, to ensure continuity in the flow of work.

- D. If employees choose to work through their paid breaks, it is their decision to do so and no extra compensation will be given for the extra time worked.
- E. Employees engaged in public safety activities, such as Police and Fire Departments: As directed by the Mayor, or designee.

9. COMPENSATORY TIME OFF.

- A. Employees may receive compensatory time off in lieu of overtime pay at Apple Valley's discretion. The Mayor, or designee, reserves the right to schedule when an employee's accrued compensatory time will be used. Written employee requests, to use their accumulated compensation time during specific dates and times, must be approved by the Mayor, or designee, who shall honor the requests unless granting the compensatory time off would create a substantial hardship for Apple Valley.
- B. The law requires that after non-exempt employees have accumulated the maximum amounts of compensatory time off during any work period, any additional overtime must be paid as set forth below:
 - (1) For employees engaged in public safety activities, such as Law Enforcement and Fire Protection Departments, with five (5) or more employees; not more than four hundred eighty (480) hours of compensatory time off may accrue.
 - (2) For employees engaged in public safety activities, such as Law Enforcement and Fire Protection Departments, with less than five (5) employees; the FLSA does not apply.
 - (3) For employees not engaged in public safety activities; not more than two hundred forty (240) hours of compensatory time off may accrue.
- C. Compensation time off will be accumulated at the overtime rate of one and one-half (1.5) hours for every hour worked, for all overtime hours worked.

10. TIME SHEETS. Employees will complete and sign, as verification of accuracy, an Employee Time Sheet (see Sample # 33 for details) showing all hours worked, including overtime, and submit the time sheet to the Mayor, or designee, for examination and filing.

SECTION XII: SALARY PLANNING

1. GENERAL POLICY. The Mayor, in conjunction with the Town Council, shall be responsible for the development and maintenance of a uniform and equitable pay plan for Apple Valley which shall consist of minimum and maximum rates of pay for each position and such intermediate steps as deemed necessary and equitable. Salaries shall be linked directly to the position classification plan and may take into consideration the following factors:
 - A. Ranges of pay for other positions.
 - B. Prevailing rates of pay for similar employment in both public and private organizations.
 - C. Cost of living factors.
 - D. Other benefits received by employees.
 - E. The financial policy and economic conditions of Apple Valley.

SECTION XIII: PAYROLL ADMINISTRATION

1. PAY PERIODS. The Fair Labor Standards Act requires that wages be calculated on a periodic basis consisting of twenty eight (28) days for employees working in public safety activities, such as Law Enforcement and Firefighters, and on a weekly basis for employees not working in public safety activities, unless an exception is granted by the Department of Labor.
2. PAY DAYS. Apple Valley's pay days are as follows.
 - A. Employees will be paid on a bi-weekly basis for a total of 26 pay periods in a 12-month period.
3. MINIMUM WAGE/SALARY. The Fair Labor Standards Act requires that Apple Valley pay an employee at least the minimum wage, currently seven dollars and fifty cents (\$7.25), as a gross wage/salary, minus the legally required pay deductions.
4. PAY DEDUCTIONS. Apple Valley is permitted to make deductions authorized by their employees. The following is a checklist of payroll deductions:
 - A. Itemized Deductions.
 - (1) Mandatory:
 - (a) Social Security.
 - (b) Federal Tax.
 - (c) State Tax.

Deleted: (2) ~~Optional.~~

~~(e) Group Life Insurance.~~

~~(f) Hospitalization.~~

~~(g) Major Medical Insurance.~~

SECTION XIV: REIMBURSABLE EXPENSES

1. GENERAL POLICY. With prior approval, legitimate expenses will be reimbursed by Apple Valley to the employee. Receipts should be required to reimburse the employee. Reimbursement may be in the form of petty cash, an addition to a paycheck, or a separate check. Records must be kept reflecting the amount of reimbursement each employee has received.
2. TRAINING AND CONFERENCES. If required to attend training seminars, conferences, briefings, or gather information; an employee will be compensated, in addition to paying any tuition or fees, at the rate of one and one-half times their regular work day pay if hours worked exceed forty (40) hours in that week.
3. TRAVEL POLICY.
 - A. All travel outside of the Apple Valley limits during Apple Valley work hours shall be authorized by the Mayor. A log of all such travel exceeding a thirty (30) mile radius of Apple Valley shall be kept. This log shall include the reason for the trip, the time the employee departed, and the time the employee returned, and vehicle used.
 - B. Travel for legitimate Apple Valley purposes in Apple Valley vehicles may be authorized when the use of the vehicle does not detract from the operational needs of Apple Valley. Overnight use of Apple Valley vehicles for travel purposes shall be authorized by the Mayor.
 - C. If travel is outside the range of service of Apple Valley's repair shop, travel costs in conjunction with the use of Apple Valley vehicles shall be paid by the employee with receipts being kept for reimbursements.
 - D. All hotels or other sleeping accommodations and airplane or other travel accommodations shall be arranged in advance for overnight trips and paid in advance of the trip. If such payment in advance is not possible, Apple Valley shall reimburse to the employee the cash amount of the cost of such sleeping and travel accommodations after receiving the appropriate receipts to verify that the employee has expended their own money for such purposes. Failure to produce a receipt in such circumstances will necessitate the withholding of reimbursement. Receipts for hotel accommodations shall be turned into Apple Valley by the employee as a verification of attendance no matter what the form of payment.
 - E. Use of an employee's personal vehicle may be authorized when circumstances warrant. The employee shall keep track of the mileage associated with the approved travel and submit a request for reimbursement to the Mayor based upon

Deleted: (12)

this record. The mileage rate will be consistent with the established rate used for Internal Revenue Service travel deductions (currently fifty five (55) cents per mile).

- F. All registration fees, etc., will be paid in advance by check. If this is not possible, the employee will be reimbursed for their own expenditure for registration fees, etc. after presentation of a valid receipt in conjunction with previously authorized travel.
- G. The amount of twenty eight dollars (\$28.00) shall be granted as the maximum daily per diem allowance for Apple Valley employees engaged in travel on the Apple Valley's behalf. No per diem shall be authorized for spouses of employees or others traveling with the employee at their own expense (Please note: the Mayor, however, may authorize the cost of a double rather than a single hotel room to accommodate the travel of a spouse with an employee). Receipts shall not be required for per diem advancements or compensation unless the employee requests reimbursement above the authorized amount.
- H. Travel that requires less than a full day shall be compensated by the following specific per diem allowances:
 - (1) Breakfast: Six dollars (\$6.00) maximum, when departing before 7:00 a.m.
 - (2) Lunch: Eight dollars (\$8.00) maximum.
 - (3) Dinner: Fourteen dollars (\$14.00) maximum, when returning after 7:00 p.m.
 - (4) These amounts may be either an advance, after submission and approval of travel request, or reimbursed after presentation of receipts.

SECTION XV: BENEFITS

1. WORKERS COMPENSATION.

- A. All employees are covered by workers compensation which provides medical reimbursement and disability benefits for job-related illness or injury. An employee does not accrue benefits while receiving workers compensation payments. For exact compensation coverage, check the workers compensation contract on file with the Mayor, or designee.
- B. Employees may use accrued vacation or sick leave to make up the difference between workers compensation benefits and their base pay.
- C. Medical Attention. An employee who sustains a bona fide, on-the-job injury may seek medical attention from the medical facility of their choice. They must tell the doctor, HOW, WHEN and WHERE the accident occurred. The doctor will complete a medical report and copies of this report should be sent within seven (7) days to the insurance carrier, the Industrial Commission, and to the injured worker (Please Note: Do not submit doctor or hospital bills for on-the-job injuries or illness to the regular medical plan).
- D. Initial Reporting of Illness or Injury. Reporting the accident or illness is critical to qualification for payment under workers' compensation. If an employee is injured while on the job, no matter how minor, the circumstances should be reported to the Mayor immediately. After Form 122 is filled out, a copy must be sent to the insurance carrier and a copy must be sent to the Industrial Commission within seven (7) days of the date of injury.
- E. Reporting while off the Job. While on leave because of a bone fide, on-the-job injury or illness, an employee must contact their supervisor or the Mayor to report on their condition. Failure to provide the required medical status reports may result in revocation of the leave and/or immediate termination.
- F. Return to Service. All employees must return to work after the approval of the attending physician. A statement from the attending physician stating the employee is able to resume normal duties will be required before returning to work. Failure to return to work when directed may result in immediate termination. An employee who is able to return to work in light duty status may be required to work in a different department and perform duties not contained within their current job classification.
- G. At the time of final release or settlement of a workers compensation claim, if no vacancy exists; and, if a reasonable effort which have proven to be unsuccessful,

has been made to place the employee in another position, they may be terminated and paid any accrued benefits due to them.

2. SOCIAL SECURITY/FICA. All employees whether full-time, part-time, or temporary are covered by the benefits of Old Age, Survivors, and Disability Insurance as provided for by law. Contributions of the employee and Apple Valley will be made in accordance with the provision of the law.

4. STATE AND FEDERAL UNEMPLOYMENT. All employees, whether regular, part-time, or temporary, are covered by the benefits of State and Federal Unemployment.

5. CONTINUING EDUCATION. Employees are encouraged to obtain continuing education through attendance at job related seminars. Requests for attendance must be approved in advance by the Mayor, or designee.

- A. Required by Apple Valley. When Apple Valley requires an employee to attend any education or training course, conference, seminar, or certification course, Apple Valley will provide the necessary time off with pay and will reimburse the employee for all associated costs including tuition or registration fees, authorized travel, meals, and lodging.
- B. Encouraged by Apple Valley. Employees are encouraged to further their education and training in areas that will enhance their job performance. Upon advance approval by the Mayor, and upon successful completion of relevant training courses, employees shall be reimbursed for tuition fees, materials, and other necessary and approved expenses upon presentation of proper receipts. Proof of successful completion will include one of the following:
 - (1) A certificate indicating successful course completion, if applicable.
 - (2) A grade point average of 2.0 or higher on a 4.0 (A, B, C, D) scale.
 - (3) A grade pass on a pass/fail grading system.

6. RETIREMENT BENEFITS. The Town fully funds an employee pension plan through Utah Retirement Systems for each active full-time employee. Eligibility begins after probationary period.

Deleted: 3. INSURANCE.

A.—Medical Health Insurance. It is the policy of Apple Valley to pay the cost of health insurance for each individual full-time employee after the completion of the probationary period. Additional coverage for spouse and/or dependents is available under the Towns policy at the employee's expense.

B.—Additional Insurance. Other coverage may be available to the employee such as life, dental and vision insurance. The cost of this additional coverage is the responsibility of the employee.

C.—Insurance Termination, Transition, and Conversion.

(1)—Termination. When an employee is terminated from employment with Apple Valley, Apple Valley will cease making contributions to the employee's insurance plans.

(2)—Transition. In cases requiring longer than three (3) months, arrangements may be made with the Mayor for the employee to pay the additional premiums required. Both Medical/Health Insurance and Life Insurance may be converted on termination in accordance with the terms of the individual policies. This is an individual responsibility that should be made directly between the individual employee and Apple Valley.

(3)—Conversion.

<#>The Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985 is available for those employees who resign or are terminated from employment or if work hours are reduced which makes the employee no longer eligible to participate in the state group health insurance plans. Employees may have the right to continue to participate in a COBRA program through the state for up to eighteen (18) months at the employee's expense, subject to current state and federal law.

<#>Eligible dependents may also extend coverage, at their expense, for up to thirty-six (36) months in state health insurance plans in the event of the employee's death, divorce, legal separation, or entitlement to Medicare benefits, or when a child ceases to be eligible for coverage as a dependent under the terms of the plan, subject to current state and federal law.

SECTION XVI: FAMILY AND MEDICAL LEAVE ACT (FMLA)

1. GENERAL POLICY.

- A. The Family and Medical Leave Act of 1993 requires many employers, including public agencies to provide up to a total of twelve (12) work weeks of unpaid leave during any twelve (12) month period for eligible employees at the time of the birth or adoption of a child or at the time of a serious health condition affecting the employee or a family member.
- B. A single public agency is further defined under Section 3(x) of the Federal Labor Standards Act to include Apple Valley.
- C. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care in a medical facility or continuing treatment by a health care provider.
- D. Intermittent leave or a reduced leave schedule for medical reasons can be taken under this policy when medically necessary. Intermittent leave or a reduced leave schedule to care for a new child can be taken only if the employee and Apple Valley mutually agree to that arrangement.
 - (1) Intermittent leave is leave that is not taken consecutively.
 - (2) A reduced leave schedule is a leave schedule that reduces the usual number of hours per work week or hours per work day.

2. ELIGIBILITY. To be eligible for FMLA leave, an employee must:

- A. Have been employed for at least twelve (12) months by the employer.
- B. Have been employed for at least one thousand two hundred fifty (1,250) hours of service with that employer during the previous twelve (12) months.
- C. Be employed by an employer who employs at least fifty (50) people within a seventy five (75) mile radius around the work site.

3. LEAVE OPTIONS. At either the employee's or employer's option, certain kinds of paid leave may be substituted for unpaid leave.

4. BENEFITS AND EMPLOYMENT STATUS.

- A. During the FMLA leave, the employer must maintain the employee's health benefits coverage under any group health plan that the employee has with the employer.
- B. The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's FMLA leave. However, no seniority or other benefits will accrue during the FMLA leave.
- C. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

SECTION XVII: LEAVES OF ABSENCE

1. ABSENT WITHOUT LEAVE.

- A. Any unauthorized absence of an employee from duty shall be grounds for disciplinary action, up to and including termination, by the Mayor, or designee.
- B. Any employee who is absent for three (3) or more consecutive work days without authorized leave shall be deemed to have voluntarily resigned their position and employment without notice. Where extenuating circumstances are found to have existed, however, such absence may be covered by the Mayor, or designee, by subsequent grant of leave with or without pay as the circumstances dictate.

2. ANNUAL VACATION LEAVE.

- A. Each permanent, full-time employee shall receive annual vacation leave at the following rate:
 - (1) For one (1) month to one (1) years of service, five (5) work days of annual vacation leave shall accrue at the rate of one-third day per month for each month worked.
 - (2) From one (1) years to five (5) years of service, ten (10) work days of annual vacation leave shall accrue at the rate of two thirds (2/3) day per month for each month worked.
 - (3) For over five (5) years of service, fifteen (15) work days of annual vacation leave shall accrue at the rate of ten hours (10) hours per month for each month worked.
- H. An employee who is separated from employment may be compensated for all accrued annual vacation leave.
- I. All annual vacation leave requests should be submitted a reasonable time in advance of the desired time off to the Mayor, or designee. If an excessive (being the number of requests if granted that would render the department or organization ineffective) amount of employees request annual vacation leave for the same time period, annual vacation leave shall be granted in order of application (first-come-first-served) at the discretion of the Mayor, or designee.
- J. Official annual vacation leave records will be maintained and kept current by posting at least once per month by the Mayor, or designee.

- K. Vacation usage will be reported by the Mayor, or designee, using attendance forms.

3. HOLIDAY LEAVE.

- A. Holidays which apply to full time employees are:

- (1) New Year's Day.....January 1st
- (2) Human Rights Day.....3rd Monday in January
- (3) President's Day.....3rd Monday in February
- (4) Memorial Day.....Last Monday in May
- (5) Independence Day.....July 4th
- (6) Pioneer Day.....July 24th
- (7) Labor Day.....1st Monday in September
- (8) Columbus Day.....2nd Monday in October
- (9-10) Thanksgiving.....4th Thursday & Friday in
- (11) Christmas Day.....December 25th

November

- B. If any of the above holidays fall on Saturday, then the preceding Friday shall be the holiday. If any of the above holidays fall on Sunday, then the following Monday is the holiday.

SECTION XVIII: GENERAL SAFETY

1. GENERAL POLICY. The following general safety rules will apply in all agency work places. Each work unit may prepare separate safety rules applicable to the specific nature of work in their area but not in conflict with these rules.
 - A. Proper licensing and extreme caution are required by all employees operating any type of power equipment.
 - B. Employees will use safety equipment appropriate to the job, such as safety glasses, gloves, toe guards, back supports, and hard hats, if required or appropriate to the work performed.
 - C. Employees will avoid wearing loose clothing and jewelry while working on or near equipment and machines. Long hair will be properly secured.
 - D. All accidents, regardless of severity, personal or vehicular, shall be reported immediately to the supervisor/manager.
 - E. Defective equipment will be reported immediately to the supervisor or Mayor.
 - F. Employees will not operate equipment or use tools for which licensing and training has not been received.
 - G. In all work situations, safeguards required by State and Federal Safety Orders will be provided.
8. Due to the potential risk of serious injury or death, employees are prohibited from entertaining, or caring for, guests or family members in or around inherently dangerous work areas. These areas include, but are not limited to:
 - (1) Road repair.
 - (2) Construction areas.
 - (3) Vehicle maintenance areas.
 - (4) Swimming pools.
 - (5) Animal control.
 - (6) Power plants.
 - (7) Sewers.

2. **PROPER USE OF APPLE VALLEY EQUIPMENT AND TOOLS.** The use of Apple Valley equipment or tools for private purposes is strictly prohibited. However, reasonable use of Apple Valley tools and equipment to protect property and preserve life is authorized.
- A. Employees shall be required to attend training provided by Apple Valley; including an explanation of job hazards, safety procedures and training on all equipment, tools, etc., necessary for the accomplishment of the employee's job description. Employees may attend additional training as approved by Apple Valley.
 - B. A commercial driver's license (CDL) is required for operators of commercial motor vehicles. No individual shall be allowed to operate such vehicles unless they have a current commercial driver's license in their possession. This license is required pursuant to the Commercial Motor Vehicle Safety Act, signed into law on October 27, 1986. Employees must renew their commercial driver's license at four (4) year intervals.
 - C. Operators and passengers in a business-use vehicle equipped with seat belts must wear them when the vehicle is in operation, and all employees operating vehicles shall observe all local traffic laws.
 - D. Employees shall keep the agency vehicles which are used by them clean, presentable, and serviceable. Employees receiving car allowances shall also keep their vehicles clean, presentable, and serviceable.

3. ACCIDENT REPORTING PROCEDURES.

- A. Employees who are injured in connection with employment, regardless of the severity of the injury, must immediately notify the Mayor or their supervisor, who will ensure prompt and qualified medical attention, is provided and all required UOSHA reports are completed. Employees, who do not and/or will not accept qualified medical attention when directed by the Mayor, or designee, shall be subject to disciplinary action, up to and including termination.
- B. The Mayor, or designee, will investigate the job related injury to determine the cause of the injury.
- C. Apple Valley shall contact UOSHA within twelve (12) hours of the occurrence of any job related death, disabling, serious, or significant injury, and/or any occupational disease.
- D. Apple Valley file the required report with UOSHA within seven (7) days after first knowledge or notification of an injury or occupational disease resulting in medical treatment, loss of consciousness, loss of work, restriction of work, or transfer to another job. Minor injuries such as scratches and cuts do not need to be reported to UOSHA if they require only minor first-aid treatment.
- E. Apple Valley shall keep a copy of the UOSHA report in their UOSHA File.
- F. Apple Valley shall give the employee a copy of the UOSHA report and explain the employee's rights and responsibilities concerning the work related injury or occupational disease.
- G. If an employee later dies as a result of work related injury, Apple Valley shall file a report with UOSHA within seven (7) days of first knowledge or notification of the death.

Item Attachment Documents:

9. Meeting Minutes for 4.3.2019
Meeting Minutes for 4.17.2019

OPENING

Mayor Lisonbee brought the meeting to order at 6:00 p.m. welcoming all in attendance and led the Pledge of Allegiance.

PRESENT

Mayor Marty Lisonbee
Councilmember Debbie Kopp
Councilmember Denny Bass
Councilmember Michael McLaughlin
Councilmember Paul Edwardsen (Phone)
Town Recorder Michelle Kinney

OTHERS IN ATTENDANCE

Finance Director Ben Billingsley
Code Enforcer Rich Ososki
Mosquito Abatement Margie Ososki
Fire Chief Dave Zolg
Water Board Chairman Harold Merritt

CONFLICT OF INTEREST DECLARATIONS

MAYOR'S TOWN UPDATE

The Mayor discussed roads and how the town can claim roads and receive BC road funds as a result. He would like to establish more committees to address issues within town.

Council Member Bass asks how much money we get in BC funds- Ben Billingsley mentions we get 70,000 per year and with every mile of additional road we claim we get an additional amount.

Chief Zolg shares his concern over unkempt roads that we have now.

Ben Billingsley-Mentions the Town's liability for these roads and that currently the town is not receiving money for them.

Councilmember McLaughlin-Mentions this is a baby step to getting to the improvements that we need and it will help to stabilize the road now.

Margie Ososki- you can really see the difference on Sheep Bridge where the county has used cinders to improve this road.

Councilmember Kopp- if we wait until we have enough to do all the roads perfectly we may be waiting forever, this will help the roads today.

1. ELECTION BY MAIL RESOLUTION R-2019-03 TIMESTAMP: 29:20

The Mayor gives the Town Recorder time to explain what this resolution is about and what this means for this year's municipal election.

MOTION: Mayor Lisonbee moves to accept resolution R-2019-03 resolution to approve the vote by mail for the 2019 municipal election.

SECOND: Councilmember Kopp

VOTE: Councilmember Kopp - Aye
Councilmember McLaughlin – Aye
Councilmember Edwardsen – Aye
Councilmember Bass- Aye
Mayor Lisonbee – Aye

The vote was unanimous and the motion carried.

2. ROAD GRADER REPAIRS

TIMESTAMP: 33:08

The estimate to repair the road grader is \$14,150.

The Mayor discusses what will be fixed on the road grader with this money.

MOTION: Mayor Lisonbee motions to get the road grader repaired.

SECOND: Councilmember Kopp

VOTE: Councilmember Kopp - Aye
Councilmember McLaughlin – Aye
Councilmember Edwardsen – Aye
Councilmember Bass- Aye
Mayor Lisonbee – Aye

The vote was unanimous and the motion carried.

3. TRANSIENT ROOM TAX

TIMESTAMP: 35:40

The Mayor turns the time over to Ben to discuss this item.

Ben speaks about the revenue source for the tax collected on rentals. He mentions the Town is collecting \$160.00 per month. This is 1% of the 4% tax that is collected. Mayor Lisonbee mentions having a policy that identifies who is actually collecting and paying this tax to verify they are remitting the tax to the state.

4. CANNAN MOUNTAIN PARK AND TRAIL APPLICATION

TIMESTAMP: 40:49

Mayor Lisonbee called the BLM and asked what it would take to get a park out by Cedar Point on BLM land for trail system. This would require putting together a master plan for the park to be submitted to the BLM.

Lee Fralish asks how big the parcel is. Mayor Lisonbee would like this to go the entire length of Cedar Point it is about 120 acres

Lee Fralish- Would this allow us to connect Bubbling Wells through Cedar Point?

Mayor Lisonbee would like to establish an initial budget with RAP tax monies in the amount \$1,500.

Richard Fischer- Mentions he likes the idea but would like to get bathrooms and water to our park here first.

Rich Kopp- People dirt bike and four wheel there, and would like to know if that will be cut off.

Mayor Lisonbee mentions that no money will be spent on this until we have a committee who has looked into it more fully.

MOTION: Councilmember Bass motions to move forward and review the application and then file the application.

SECOND: Councilmember Kopp

VOTE:	Councilmember Kopp -	Aye
	Councilmember McLaughlin –	Aye
	Councilmember Edwardsen –	Aye
	Councilmember Bass-	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

5. BUILDING PERMIT PROCESS, STREAMLINE AND UPGRADE

TIMESTAMP: 53:35

Mayor Lisonbee talks about the internet based cloud process that Santa Clara uses for building permits. The software keeps a complete history and updates immediately. This system will tailors the permitting process to what you are building. The system has a \$4,800.00 one-time fee and can be paid over 5 years. Annual maintenance fee is \$1,000 for up to 30 permits per year for primary homes and commercial permits. We have a plan review fee on our fee schedule that we haven't been charging. We will start charging this to pay this fee.

MOTION: Councilmember Bass motions to accept the building permit process as written.

SECOND: Councilmember Edwardsen

VOTE:	Councilmember Kopp -	Aye
	Councilmember McLaughlin –	Aye
	Councilmember Edwardsen –	Aye

Councilmember Bass-	Aye
Mayor Lisonbee –	Aye

To clarify what they are accepting Councilmember Bass makes a new motion as follows.

MOTION:	Councilmember Bass motions to accept the building permit process contract/proposal with City Inspect.	
SECOND:	Councilmember Edwardsen	
VOTE:	Councilmember Kopp -	Aye
	Councilmember McLaughlin –	Aye
	Councilmember Edwardsen –	Aye
	Councilmember Bass-	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

6. RESOLUTION R-2019-06 PLANNING COMMISSIONER APPOINTMENT

TIMESTAMP: 1:13

Blake Seese has resigned from the Town Planning Commission. The Mayor thanks him for his service. The Planning Commission alternate Lee Fralish has agreed to step into Blake's shoes and fill the term until the end of the year.

MOTION:	Mayor Lisonbee moves to approve Resolution R-2019-06 a resolution appointing a planning commissioner, Lee Fralish.	
SECOND:	Councilmember Bass	
VOTE:	Councilmember Kopp -	Aye
	Councilmember McLaughlin –	Aye
	Councilmember Edwardsen –	Aye
	Councilmember Bass-	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

7. ENSIGN BILLING

TIMESTAMP: 1:14:55

The packet contains an email with further clarification on the zoning map charges. The Mayor mentions that water lines are missing for the Bubbling Wells area on this map. CIB is making it easier for towns to get funding for impact studies for these types of plans if the amount of the funding is under \$50,000.

Harold Merritt- Mentioned Robert authorized an impact fee study with a firm. They said they had already started the study and they would charge us the 1/3 for the work they had already

done.

Mayor Lisonbee moves this item to the next meeting.

8. FY2018 FINANCIAL REVIEW-BEN BILLINGSLEY

TIMESTAMP: 1:26:00

Ben Billingsley goes over the results of the financial review. A town or municipality of our size goes through an agreed upon procedures review. They made 3 findings. One was to a credit card receipt that we could not find. The second was the UPN website was missing a meeting. The 3rd item was a budget overage in the police and code enforcement category.

Ben mentions a budget work-meeting in the next few weeks for FY2020. May 1st Budget work meeting the budget adoption is in June.

Rich Kopp- how much was the amount for the receipt that was lost? Under \$100.00.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Events Committee- Tish Lisonbee/Debbie Kopp- Easter egg hunt April 20th at 12:00. Hotdogs, chips, and water for \$1.50.

Planning Commission- The next meeting will include a work meeting on garages for the next meeting. How big should an attached garage be in relation to the size of a home? The mayor would like to see them push the limit to at least 125%.

Fire Department- Chief- doesn't have anything to report

Roads and storm drainage- Dennis Bass- Mayor Lisonbee mentions that we will have Engineers in town on Friday to look at the town for FEMA funding projects

PUBLIC COMMENTS

TIMESTAMP 1:39:15

MOTION: Councilmember Kopp motions to open public comments.

SECOND: Councilmember Bass

VOTE:	Councilmember Kopp -	Aye
	Councilmember McLaughlin –	Aye
	Councilmember Edwardsen –	Aye
	Councilmember Bass-	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

Margie Ososki- Recommends people drive slower on the dirt roads.

Rich Kopp- Reminds people that wind conditions should be taken into consideration before and during burning.

MOTION: Councilmember Kopp motions to close public comments
SECOND: Councilmember Bass
VOTE: Councilmember Kopp - Aye
Councilmember McLaughlin – Aye
Councilmember Edwardsen – Aye
Councilmember Bass- Aye
Mayor Lisonbee – Aye

The vote was unanimous and the motion carried.

ADJOURNMENT

MOTION: Councilmember Kopp motions to adjourn
SECOND: Councilmember Bass
VOTE: Councilmember Kopp - Aye
Councilmember McLaughlin – Aye
Councilmember Edwardsen – Aye
Councilmember Bass- Aye
Mayor Lisonbee – Aye

The vote was unanimous and the motion carried.

Meeting adjourned at 7:45 p.m.

Date approved: _____

Marty Lisonbee, Mayor

ATTEST BY: _____
Michelle Kinney, Recorder

OPENING

Mayor Lisonbee brought the meeting to order at 6:00 p.m. welcoming all in attendance and led the Pledge of Allegiance.

PRESENT

Mayor Marty Lisonbee
Councilmember Debbie Kopp
Councilmember Denny Bass
Councilmember Michael McLaughlin (Joined meeting at 6:41)
Councilmember Paul Edwardsen
Town Recorder Michelle Kinney

OTHERS IN ATTENDANCE

Finance Director Ben Billingsley
Code Enforcer Rich Ososki
Fire Chief Dave Zolg
Water Board Chairman Harold Merritt
Forrest Kuehne Commissioner
Janet Prentice Commissioner

CONFLICT OF INTEREST DECLARATIONS

MAYOR'S TOWN UPDATE

The new 55 mph signs are up on 59.
People didn't like the idea of Canaan Mountain Park so the Town isn't going to pursue this idea.

DISCUSSION AND ACTION

1. DUMP TRUCK PURCHASE

TIMESTAMP: 5:50

A dump truck purchase would be around \$50,000 for something used. The payment would be about \$1,000 per month for 5 years. This would be ear marked to come out of BC road funds. The purpose would be to haul cinders or asphalt. 26,000 lbs. or less would not require a CDL.

Richard Fischer mentions he likes the idea of a dump truck and he outlines the reasons.

The dump trailer is an option and the cost is about \$15,000.

MOTION: Mayor Lisonbee motions that we consider the purchase of the dump truck with a range of about 50,000 dollars and finance through Zion's bank.

SECOND: Councilmember Bass

VOTE: Councilmember Kopp - Aye
Councilmember Edwardsen – Aye
Councilmember Denny Bass- Aye
Mayor Lisonbee – Aye

The vote was unanimous and the motion carried.

2. ENSIGN BILLING

TIMESTAMP: 15:10

The amount that Ben has come up with that the town owes to Ensign is \$15,736.50. Ben suggests that we draft a letter indicating that fulfills all work done and pay the bill.

MOTION: Mayor Lisonbee moves that we pay the Ensign bill as Ben has outlined it for the \$15,736.50 if they are willing to settle for this amount.

SECOND: Councilmember Edwardsen

VOTE: Councilmember Kopp - Aye
Councilmember Edwardsen – Aye
Councilmember Denny Bass- Aye
Mayor Lisonbee – Aye

The vote was unanimous and the motion carried.

3. CONSENT CALENDAR FOR MARCH 2019/ FINANCIAL REVIEW FOR 1ST QUARTER OF CALENDAR YEAR.

TIMESTAMP: 18:52

The full financial report for the quarter- We did reallocate some budget lines within each category. We will propose a tentative budget and in June and have the public hearing for the budget.

Ben explains the process for reconciliation- it is the treasurer who makes sure that all the money is deposited and is as it should be.

MOTION: Councilmember Kopp motions to accept the consent calendar for March 2019 and the financial review of the first quarter of the calendar year.

SECOND: Councilmember Bass

VOTE:	Councilmember Kopp -	Aye
	Councilmember Edwardsen –	Aye
	Councilmember Denny Bass-	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

4. GOOSEBERRY MESA LANDSCAPE HOTEL DEVELOPER AGREEMENT **TIMESTAMP: 25:08**

Mayor Lisonbee turns some time over to Forrest Kuehne to share his thoughts on the status of this project. Forrest Kuehne would like to see them start over with a new application.

Forrest Kuehne feels that the group of parcels is different than what was originally approved and the development they are now proposing is not properly zoned.

The Mayor asked where the 4 acres is that is not included in the current PD zone. The Mayor asked Mr. Kuehne to come forward and show the council the area that is not correctly zoned. With the information Forrest provides the council feels comfortable stating that this is the area that is being donated to the town and will be used for the fire access. Attorney Guzman states that as long as whatever is placed in this area is suitable for the zone then there is no problem with this. Some of the items that have been added to the agreement include the road being paved and water now has a separate agreement.

MOTION:	Mayor Lisonbee moves that we approve the developer agreement subject to the acceptance of the water board agreement all subject to legal review	
SECOND:	Councilmember Edwardsen	
VOTE:	Councilmember Kopp -	Aye
	Councilmember Edwardsen –	Aye
	Councilmember Denny Bass-	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

DISCUSSION

5. TISH LISONBEE-EVENTS COMMITTEE BUDGET REVIEW **TIMESTAMP: 37:35**

The donations for the year were \$1156.00. She explains a mix up that happened with donations at the beginning of the fiscal year. Without that money we have \$510.92. The total expenditures cost the town \$212.00. We have a budget of 2,000 for this year.

Easter egg hunt on Saturday.

6. DAVID ZOLG- FIRE DEPARTMENT BUDGET REVIEW

TIMESTAMP: 41:00

Councilmember Mike McLaughlin has joined the meeting

The remaining Fire department budget for this year is around \$22,000 with 3 months left. They would like to get tanks refurbished with this money. The tanks are going to be out dated soon. \$75-80,000 will come out of the new budget for the type 3 engine that never came in. Tires will be about \$4,000 dollars. The engine currently doesn't meet standards. The new truck is ready for county and southern Utah fire calls.

7. PARK REST ROOMS

TIMESTAMP: 47:03

On July 1 the Mayor will have another 6 months of pay and he would like to donate it back to the town for park bathrooms. People have pledged about 15,000 dollars in donations. He would like to have some ADA compliant restrooms and Basketball courts. Karl Rasmussen is willing to help with the engineering. Peter Smith volunteered to help with the plumbing. There is also a person willing to pay for chemical toilets now.

Tish Lisonbee suggests a park improvement committee.

APPROVAL OF MINUTES

Timestamp: 55:37

8. APPROVAL OF MINUTES FOR MARCH 6, 2019

MOTION:	Councilmember Edwardsen moves to approve the minutes for March 6, 2019	
SECOND:	Councilmember Bass	
VOTE:	Councilmember Kopp -	Aye
	Councilmember McLaughlin –	Aye
	Councilmember Edwardsen –	Aye
	Councilmember Bass-	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

TIMESTAMP: 56:03

Events Committee- Tish Lisonbee/Debbie Kopp-

Egg hunt this weekend 12:00-

Fire Department- Chief- Chili cook-off is on the 27th at 10:00am. They will judge the chili about 12.

Big Plains Water and Sewer SSD- Harold Merritt- They will have a work meeting for the budget during the next meeting.

Roads and storm drainage- Dennis Bass-

Road Committee meeting was this last week. Denny Bass gives report. They are trying to get enough cinders dropped on the worst roads first. They are considering some type of drag that can be used to help level the roads. Six people attended including Denny Bass, Richard Fischer, Lee Fralish, Jerry Jorgensen, Mayor Lisonbee and Matt Jessop.

Mosquito abatement- Margaret Ososki- Margie is at the Mosquito abatement meeting right now.

PUBLIC COMMENTS

TIMESTAMP: 1:02:00

MOTION: Mayor Lisonbee moves to open public comments

SECOND: Councilmember Edwardsen

VOTE:	Councilmember Kopp -	Aye
	Councilmember McLaughlin –	Aye
	Councilmember Edwardsen –	Aye
	Councilmember Bass-	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

Ed Finkenberg- Suggests the Town adopts some type of rule that keeps trash cans off the street after trash day.

Chief Zolg reminds residents to be careful on the roads. Make sure you put out all camp fires completely.

Janet Prentice- mentions that someone is projecting lights up on Smithsonian Butte.

MOTION: Councilmember Kopp motions to close public comments

SECOND: Councilmember McLaughlin

VOTE:	Councilmember Kopp -	Aye
	Councilmember McLaughlin –	Aye
	Councilmember Edwardsen –	Aye
	Councilmember Bass-	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

ADJOURNMENT

MOTION: Councilmember Kopp motions to adjourn Town Council Meeting

SECOND: Councilmember Edwardsen

VOTE:	Councilmember Kopp -	Aye
	Councilmember McLaughlin –	Aye
	Councilmember Edwardsen –	Aye
	Councilmember Bass-	Aye
	Mayor Lisonbee –	Aye

The vote was unanimous and the motion carried.

Meeting adjourned at p.m.

Date approved: _____

Marty Lisonbee, Mayor

ATTEST BY: _____
Michelle Kinney, Recorder